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THE NORTH CAROLINA HISTORICAL REVIEW

VOLUME XIII JANUARY, 1936 NUMBER 1

"WHITE SUPREMACY" AND THE NORTH CAROLINA SUFFRAGE AMENDMENT*

By WILLIAM ALEXANDER MABRY

The North Carolina constitution of 1868 extended the right of suffrage to Negroes, but members of that race were destined to make free use of the ballot for only two years. The Conservative or Democratic party came into power in the State in 1870 and proceeded to restrict and control the Negro vote for the next twenty-five years. The bitter memories of Reconstruction days seemed to justify such measures. But continued nullification of the spirit, if not the letter, of the state and federal constitutions was dependent on the unchallenged supremacy of the Democratic or "white man's" party.

A remarkable degree of political unanimity among the white voters of the State was maintained until economic depression prompted the North Carolina farmers to fall in line with the Populist movement which was sweeping the South and West in the early 1890's. In 1894 a merger was effected between the local Populists and Republicans, and the resulting "Fusion" party captured control of both houses of the state legislature. Two years later Daniel L. Russell, a Republican, was elected governor.

Holding the balance of power, the Negroes actively entered the political arena once more. They voted, quite naturally, with their old allies, the Republicans, and after the Fusion victory were rewarded with a share of the political spoils. In 1896 there were in the State approximately a thousand Negro office-holders, ranging from justice of the peace to representative in Congress.[1]

*This article is based on "The Disfranchisement of the Negro in the South," the author's doctoral dissertation in history at Duke University, accepted 1933.

[1] Delap, S. A., "The Populist Party in North Carolina," *Trinity College Historical Society Papers*, Ser. XIV, p. 51.

Resentment on the part of the whites against Negro office-holding, especially in the Eastern counties, was encouraged and capitalized by the Democratic leaders. As a result of the "White Supremacy" campaign of 1898, ably directed by Chairman Furnifold M. Simmons, the Democrats re-captured complete control of both houses of the state legislature.[2]

During the interval between the election in November, 1898, and the assembling of the legislature in the following January, the Democratic leaders were admittedly in a quandary. In the course of the recent campaign certain prominent Democrats, notably Chairman Simmons and Josephus Daniels, had promised that there would be no disfranchisement of illiterate voters.[3] Yet the rallying cry of the Democrats had been "Save the State from Negro Rule," and the overwhelming Democratic victory was rightly interpreted as an ultimatum to curb the political power of the Negro. The problem was how to accomplish this result within constitutional limits.

There is good evidence that the most thoughtful Democrats did not relish the task before them. Henry G. Connor of Wilson, who was being groomed for the speakership of the House of Representatives, wrote to Judge George Howard on November 11:

> I wish some other Democrat had my seat. I dread the work before me. While willing to go a very long way to remove the Negro from the politics of the State, I am not willing to bring about the condition through which we passed four years ago. The situation is far from pleasant and the problem is full of complications.[4]

Several possible solutions of the suffrage problem offered themselves. The new Democratic majority in the legislature might simply revert to the old stratagems of partisan election laws and shameless cheating at the ballot-boxes which had proved effective in curbing the political power of the Negro before the Populist upheaval. But this system had obvious weaknesses. There was no way to guarantee continued white solidarity in politics, and any serious political division among the

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[2] See Mabry, William Alexander, "Negro Suffrage and Fusion Rule in North Carolina," *North Carolina Historical Review*, XII, (April, 1935) 92-102.

[3] *The Charlotte Observer* (Charlotte, N. C.), Sept. 25, 1898; *The News and Observer* (Raleigh, N. C.), Oct. 25, 1898.

[4] Henry G. Connor to George Howard, Nov. 11, 1898 (Henry G. Connor Correspondence in possession of R. D. W. Connor, Washington, D. C.).

whites would automatically give the Negroes the balance of power. Furthermore, the disfranchisement of the Negroes by irregular and illegal means had seriously lowered the general political morality of the State. The people were calling for a permanent and legal elimination of the mass of illiterate Negroes from the electorate.

Three Southern states had already pointed the way. Since 1895 Mississippi, South Carolina, and Louisiana had disfranchised the bulk of their Negroes by means of educational and property qualifications for voting. At the same time, Mississippi and South Carolina had protected the suffrage rights of their illiterate white citizens by inserting the "Understanding Clause" in their state constitutions. Louisiana had adopted the "Grandfather Clause" for the same purpose. North Carolina might follow one of these general plans.

At the request of the Democratic Executive Committee, Josephus Daniels, editor of *The News and Observer*, went to Washington and conferred with a number of Southern senators regarding the problem of Negro suffrage. He then visited Louisiana and observed at first hand the working of the suffrage plan recently adopted in that State. Upon returning to North Carolina, his report was most favorable; the "Grandfather Clause" was proving quite effective in caring for the illiterate white "Cajans," while most of the Negroes were being disfranchised by the educational tests.

The legislature which convened in Raleigh on January 4, 1899, was so overwhelmingly Democratic[5] that any program endorsed by that party was not apt to meet with effective opposition. Henry G. Connor of Wilson County, an outspoken champion of suffrage reform, was promptly chosen speaker of the House of Representatives. In his opening address, Speaker Connor impressed upon his fellow law-makers the seriousness of the work which was about to be undertaken:

> This body convenes at a period of intense interest to us and to all those who shall come after us. . . . There are questions to be settled. Grave questions they are, and the people of North Carolina expect us

[5] In the Senate were forty Democrats, seven Republicans, and three Populists. The House membership consisted of ninety-four Democrats, twenty-three Republicans, and three Populists. *Appleton's Annual Cyclopædia*, 3rd series, IX (1899), 566.

to deal with them wisely and with firmness. Times come when conditions demand what appear to be radical measures. That time has come in the history of North Carolina. The people expect us to discharge this duty. Let them not be disappointed.[6]

On January 9, Francis D. Winston of Bertie County introduced in the House a bill which was in essence a copy of the Louisiana franchise law. On the motion of Lee S. Overman, the bill was referred to the committee on constitutional amendments of which George H. Rountree of New Hanover County was chairman. Though remaining unchanged in principle, the Winston bill underwent considerable revision in the hands of the committee. In shaping up the bill, Chairman Rountree had the able assistance of Locke Craig, William Allen, Edwin J. Justice, and Speaker Connor. In the Senate, R. B. Glenn and Frank Osborne rendered important service on this project. Though not members of the legislature, Furnifold M. Simmons and Charles B. Aycock were frequently consulted by members of the Senate and House committees.[7]

Several plans other than the one embodied in the Winston bill were considered by the House committee. There was considerable sentiment favorable to a straight educational and property qualification for voting, but it was realized by a majority of the committee that such a proposition could not be carried since it would disfranchise numbers of whites as well as Negroes. The Mississippi plan with the "Understanding Clause," was likewise considered but rejected because of the very wide discretionary powers which it gave to registrars. The qualifying clause for illiterate whites in the Louisiana plan would work more or less automatically and hence would offer less opportunity for fraud, it was felt.

In explaining the adoption of the "Grandfather Clause" by the House committee, Chairman Rountree later wrote:

It was the desire of the committee to get that simple qualification of reading and writing to be the law of North Carolina as quickly as possible, but, in order to get the electorate to vote that change in the Constitution, it was necessary to make an exception in the favor of

[6] North Carolina House of Representatives, *Journal*, 1899, pp. 12, 13.

[7] Rountree, George H., "My Personal Recollections of the Campaign of 1898 and the Legislature of 1899 in North Carolina" (manuscript in possession of Professor J. G. deR. Hamilton, Chapel Hill, N. C.).

those who, and whose ancestors, had been voting for many years in North Carolina. That exception was known as the "Grandfather Clause," and was adopted simply as a bridge to get over from the present status of unlimited adult male suffrage to a suffrage qualified by the ability to read and write.[8]

In the original draft of the Suffrage Amendment, one might register under the "Grandfather Clause" only until December 1, 1906. Many Democrats from western North Carolina felt that a six-year limit would not allow time enough for all the white boys of the State to get a rudimentary education, and that hence they would be disfranchised if they came of age after 1906. In the Democratic caucus, Senators R. B. Glenn and M. H. Justice, both from the West, made an effort to have the "Grandfather Clause" operate indefinitely, thus making a permanent exemption from the literacy test in the case of all those who had voted in 1867 and their lineal descendants. But Chairman Rountree opposed this suggestion very vigorously on the grounds that it was without precedent and was so widespread in effect that the Supreme Court of the United States would probably declare it unconstitutional. Henry G. Connor and Locke Craig were of the same opinion.[9]

Out of consideration for the Western counties, where the rate of illiteracy among the whites was comparatively high, the caucus agreed to extend the time limit for the operation of the "Grandfather Clause" until December 1, 1908. With this one important change, the Suffrage Amendment was adopted by the Democratic caucus on February 8 just as it had come from the sub-committee.[10]

The parts of the amendment designed to disfranchise illiterate Negroes without disfranchising illiterate whites are Sections 4 and 5. These read as follows:

Section 4: Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language; and in addition thereto, shall have paid on or before the first of March of the year in which he proposes to vote, his poll tax, as prescribed by law, for the previous year, and he shall exhibit his receipt

[8] *Ibid.*
[9] *Ibid.*
[10] *The Charlotte Observer*, Feb. 10, 1899.

therefor when he offers to vote. Poll taxes shall be a lien only on assessed property, and no process shall issue to enforce the collection of the same except as against assessed property.

Section 5: No male person who was on January 1, 1867, or at any time prior thereto, entitled to vote under the laws of any state in the United States wherein he then resided, and no lineal descendant of such person, shall be denied the right to register and vote at any election in this State by reason of his failure to pass the educational qualification prescribed in Section 4 of this article: provided he shall have registered in accordance with the terms of this article prior to December 1, 1908, and no person shall be entitled to register under this section after that date.[11]

The proposal to restrict the suffrage according to the above-mentioned plan was obviously a matter of great concern to the Negroes of the State. While the suffrage changes were being considered, the joint committee on constitutional amendments on January 13 gave a hearing to a representative group of Negroes. Appearing for that race at that time were Isaac Smith, Negro member of the legislature from Craven County, Rev. R. H. W. Leake of Raleigh, and Professor Crosby of Salisbury. Chairman Rountree of the legislative committee explained that the Suffrage Amendment was proposed because the illiterate Negro was unfit for the ballot, that this fact had been proved by thirty years' experience, and that the franchise must be curtailed for the welfare of the State.[12]

"Ike" Smith was saving his oratory for the House of Representatives so Leake and Crosby did most of the talking before the committee. Both were very moderate in their views. Leake said he knew that the Fusionist legislation with regard to Wilmington was vicious and that the Negroes were partly to blame for electing such officers. Crosby, too, admitted that the mass of Negroes were probably not good voters. Of an estimated total of 125,000 Negro voters in North Carolina he said that only about 25,000 were qualified to form intelligent opinions on political questions. The tendency, he admitted, was for Negroes to vote blindly the Republican ticket. This solid black vote he labelled "a menace to our government." But he urged the legislature to be fair with the Negroes. "You want," he said, "to

[11] *The Charlotte Observer*, Feb. 10, 1899.
[12] *Ibid.*, Jan. 14, 1899.

disfranchise enough Negroes to make it certain that good government will prevail. Do that and stop. Do not go to the extent of persecution."[13]

A few days after the committee hearing, a "Negro Council" composed of sixty-nine delegates met in Raleigh. Among those attending the meeting were George H. White, Negro congressman from the Second District, and John C. Dancy, Negro collector of customs for the port of Wilmington. A memorial from the Negroes was addressed to the legislature asking that no laws be passed, the effect of which would be "to blunt our aspirations, ruin our manhood, and lessen our usefulness as citizens . . ." Also, White and several other politicians secured the adoption of a resolution which advised the Negroes to emigrate in case the Democrats made their stay in North Carolina "intolerable." But due to the influence of Rev. R. H. W. Leake and Dr. S. A. Scruggs this resolution was voted down. Instead, the meeting issued an address to the Negroes of the State urging them not to be hasty in changing their present plans but to fulfill quietly and industriously all contracts with their landlords.[14] Conservative sentiment had prevailed; the Negroes were throwing themselves upon the mercy of the legislature.

Among the Democrats in the legislature there were some who were experiencing qualms of conscience because of the campaign promises they had made that no persons would be disfranchised in the event of a Democratic victory. Representative S. L. Patterson of Caldwell County was one of this group. He said he had promised an old Negro on his place that he would never vote for any bill which would disfranchise him. Patterson and several others who had similar feelings were excused from voting on the amendment by the Democratic caucus.

The press of the State followed exceedingly closely the actions of the legislature. The Democratic papers stood solidly behind the proposition to eliminate the Negro from the electorate, and most of them preferred a constitutional amendment

[13] *Ibid.*
[14] *Ibid.*, Jan. 19, 1899.

to any other method. *The Charlotte Observer* on February 1 carried the following editorial comment:

There seems to be no method by which the suffrage can be restricted in North Carolina to those who should vote except by the amendment to the Constitution. An election law which would permit the dominant party to count out the opposition or otherwise defraud it is open to objection on the ground that it is not honest and that its application tends to demoralize those who execute it and those who know of its execution for the purpose mentioned; for it must be seen that the tendency of dishonesty in politics is toward dishonesty in personal transactions.

The News and Observer was even more enthusiastic in its approval of the Suffrage Amendment accepted by the Democratic caucus. It said editorially on February 10:

Last November it was only by such a campaign as exhausted every resource of the white men in the State that White Supremacy was secured. That victory was a signal one, but as long as there are one hundred thousand ignorant Negro voters entitled to kill the vote of an equal number of intelligent white men just so long are we in danger of being remanded to the terrible conditions from which we have escaped. . . . White Supremacy can not be made permanent until the irresponsible Negro vote is removed. It can not be removed except by adopting the Constitutional Amendment that will be shortly submitted.

On February 16, Chairman Rountree of the committee on constitutional amendments reported with the favorable recommendation of the committee the "Act to Amend Section 2, Article VI of the Constitution."[15] The debate was opened the following day by Mr. Rountree. The bill before the House, he said, was a substitute for the original Winston bill. The chief feature of his speech was a defense of the "Grandfather Clause." In the course of his argument, he compared the proposed amendment with a section of the Massachusetts constitution which imposed a literacy test for voting and then exempted from its provisions those entitled to vote at the time of its adoption and all men sixty or more years of age when the law went into effect. Concluded Mr. Rountree:

There is not the slightest difference of principle between that law and the one we now have under consideration. Ours is to protect us

[15] North Carolina House of Representatives, *Journal*, 1899, p. 49.

against ignorant Negroes; the Massachusetts law is to protect that State from ignorant foreigners.[16]

Mr. Rountree was followed in the House debate by Isaac Smith, the Negro member from Craven County. Of all sad thoughts, the saddest to him was that the very people whom he had held up to his race as their best friends were about to disfranchise them. The Negro, he said, regarded the right to vote as the dearest thing on earth. "I tell you in four years from now you'll want to reconsider to-day's action and can't."[17]

A few days earlier Smith had circulated among the members of the legislature an open letter to the white people of North Carolina. It began with a Biblical text, Proverbs, XXIX:14: "The king that faithfully judgeth the poor, his throne shall be established forever!" The letter continued:

> I admit the great and good white race is king. Now I will never believe till I see it, that the North Carolina white people, who live so near the benign heavenly realms . . . will ever say by the votes of your scholarly, able and conscientious sons, that a race of people shall pay rent to them for the use of a tenament after turning them out and occupying it themselves. . . . Remember your word and your promise made during the campaign, that if the Democrats won, the colored man would not be disfranchised. . . . [18]

Two other colored members, Eaton of Vance County and Wright of Warren County, spoke in behalf of their race against the amendment. Wright labelled the proposed suffrage restriction, "a great sledge hammer of political death" for the Negroes.[19]

Francis D. Winston, the author of the original Winston bill, brought the debate to a climax with a dramatic burst of oratory in behalf of "White Supremacy":

> If there is any one sentiment now beating in the hearts of the people of North Carolina, it is that they have liberty or death. They prefer liberty. I will not discuss the constitutional side of the question.

---

[16] *The Charlotte Observer*, Feb. 18, 1899. Mr. Rountree probably over-stressed the similarity between the suffrage requirements of the Massachusetts constitution and the North Carolina amendment. The Massachusetts law did not provide for hereditary voters, nor did it arbitrarily fix a date many years before its adoption as the standard of exemption from the educational test. See Article of Amendment XX of the Constitution of Massachusetts in *Acts and Resolves Passed by the General Court of Massachusetts, 1899*, Boston, Mass., 1899.

[17] *The Charlotte Observer*, Feb. 18, 1899.

[18] *Ibid.*, Feb. 16, 1899.

[19] *Ibid.*, Feb. 18, 1899.

Neither shall I pay any attention to men who come here to-day to prate of white supremacy, and whose every vote has been against the best interests of the people of North Carolina. Every man who now talks of white supremacy must show his faith by his works. Have we so soon forgotten Newbern, and Greenville, and Tarboro, and Wilmington?[20]

Seventy-six Democrats and three Populists "showed their faith by their works," and the committee bill passed its second reading in the House on February 17, by a vote of seventy-nine to twenty-nine. Seven Democrats joined with the twenty-two Republicans in voting against the proposed restriction of the suffrage. But the Democratic steam-roller crushed all opposition. On the motion of Mr. Winston, the rules were suspended and the bill promptly passed its third reading by a vote of eighty-one to twenty-seven; two Democrats, Currie of Moore County and Fleming of Clay County, joined with the majority of their party and voted for the amendment.[21]

On the following day, the suffrage bill was taken up in the Senate. Little opposition developed as it had the endorsement of the Democratic caucus. An effort was made by Senator Goodwin to have all persons disfranchised by the proposed Amendment exempted from the performance of all civil and military duties and from the payment of a poll tax. But this suggestion was promptly voted down. A vote was then called for on the committee bill, and it passed its second reading forty-two to six.[22]

Following the passage of the bill on the second reading, Senator Franks moved to strike out the poll tax prerequisite for voting, but the majority was not willing to accept such a change. The rules were suspended; whereupon, the bill promptly passed its third reading in the Senate. The Suffrage Amendment having successfully passed all legislative hurdles was now slated to be submitted to the electorate of the State at the time of the next general election, August 2, 1900.[23]

The amendment which the legislature had framed and voted to submit to the people was the product of much conscientious

[20] *The Charlotte Observer*, Feb. 18, 1899.
[21] North Carolina House of Representatives, *Journal*, 1899, p. 490.
[22] North Carolina Senate, *Journal*, 1899, p. 493.
[23] *Loc. cit.*

work on the part of the Democratic leaders. Whether or not the measures embraced in the amendment have proved wise and just, it seems clear that those who framed the suffrage qualifications regarded them as the best available solution of the very perplexing problem which confronted the State. They felt that the presence of a large number of illiterate Negro voters was retarding the development of the State; that the presence of the Negro in politics was preventing the whites from dealing with really vital issues. As Speaker Henry G. Connor of the House of Representatives expressed it, ". . . we feel that we have a growth . . . and for the preservation of the best there is in the State, we must cut it off and separate it from ourselves. . . ."[24] Clearly the amendment designed to disfranchise the illiterate Negroes was not considered lightly but was framed by "men with tears in their eyes."[25]

The work of the General Assembly of 1899 with respect to the problem of Negro suffrage was by no means limited to the bill submitting the constitutional amendment to the people. That might or might not be ratified. Furthermore, should it receive the sanction of the voters, it was not to be effective until 1902. Conditions in the eastern counties demanded more immediate action if the Democratic promise of "redeeming the State from Negro rule" was to be carried out. Hence, early in the session, the legislature began to undo the Fusionist local self-government system by appointing enough additional members on the various boards of county commissioners in the East to insure white control.[26]

The state election law likewise underwent a thorough revision in the hands of the Democratic caucus. In the first place, the time for holding state and county elections was set for the first Thursday in August instead of in November, the time of the national election.[27] The object of this change, no doubt, was to eliminate the possibility of federal interference with state elections.

The machinery of elections was placed almost entirely in the hands of the dominant party. The legislature, now controlled

[24] Connor, Henry G., "Speech Delivered at Trinity College, Feb. 22, 1899," *Trinity College Historical Society Papers*, No. 2, Ser. 4, p. 43.
[25] *Loc. cit.*
[26] *Public Laws of North Carolina*, 1899, Chap. 170.
[27] *Ibid.*, Chap. 507.

by the Democrats, was authorized to elect seven "discreet" persons to act as a state board of elections. This board was to appoint the county boards of elections which, in turn, were to appoint all registrars and judges of elections for their respective counties. The statute also specified that a new state-wide registration be held before the next general election, in 1900, and registrars were given very considerable powers in passing on the qualifications of persons seeking registration. Furthermore, challenges of a voter's qualifications might be made on the day of election, thus making it most difficult for the person challenged to clear his record in time to vote.[28]

The passage of the Democratic election law called forth the following scathing denunciation from Senator Marion Butler's Populist organ, *The Caucasian:*

> The last words of a dying man tell whether he is a saint or a sinner. So with the present Legislature. . . . The election law is a plumb humbug. It's to count in the East. If the West will allow it, let her go. When a political party gets up such a law, it shows it is afraid of an honest election and a fair count. The law is made in the interest of the Democratic Bourbon machine, and your right to vote depends on whether they will let you vote or not. It disfranchises more whites than the amendment will Negroes. No difference between a Negro and a white man with an office-hunting Democrat.[29]

The Democrats, of course, contended that the steps which they had taken were necessitated by the race situation in the State, and that their election law was no more partisan than the Fusion law which it replaced.[30]

The legislature had scarcely adjourned to meet again on June 12, 1900, when the rival forces began to prepare for the impending fight on the Suffrage Amendment. The Democratic party, which had been responsible for the drafting of the amendment and its submission to the people, would naturally make every effort to have it ratified in the general election. The Republican party, led by federal office-holders and those state officers carried over from the Fusion regime, was equally as certain to wage a bitter fight against the proposed instrument of disfranchisement. The loss of a large number of Negro voters

[28] *Public Laws of North Carolina*, 1899, Chap. 507.
[29] *The Caucasian* (Clinton, N. C.), March 2, 1899.
[30] *The Charlotte Observer*, March 1, 1899.

would be a severe blow to the Republican state organization. The attitude of the Populist party seemed doubtful at first. *The Caucasian* stated that if it were certain that the amendment would take the Negro issue out of politics, the Populists would certainly support it. But serious doubts were expressed that such would be the result.[31]

Marion Butler and his Populist organization were not uncertain for long as to the attitude they should take regarding the amendment. They soon lined up with the Republicans in the fight to defeat the disfranchisement program of the Democrats. Early in October, 1899, Senator Butler made the following very authoritative announcement: "I find without much surprise that it [the amendment] is clearly in conflict with provisions of the Constitution of the United States."[32] Butler's speeches during the campaign were principally elaborations and defenses of this one important point.

By the beginning of 1900 the lines were clearly drawn, and the fight for the ratification of the Suffrage Amendment and the achievement of "White Supremacy" was begun in earnest. Among the prominent champions of suffrage restriction were Furnifold M. Simmons, Democratic state chairman; Charles B. Aycock, Democratic nominee for governor; Henry G. Connor; George Rountree; and Francis D. Winston. These men, along with numerous other Democratic leaders, were prepared to wage a vigorous campaign in support of what they believed to be the wisest solution of the political angle of the race question. In the vanguard of the opposition were Senator Marion Butler; Senator Jeter C. Pritchard; Cyrus Thompson, who had been the Populist candidate for the United States Senate in 1896; and A. E. Holton, the Republican state chairman. On both sides, a goodly amount of political opportunism was mixed with concern over the future welfare of the State.

The newspapers played an active and very important rôle during the campaign. Perhaps the most enthusiastic of the Democratic newspapers was *The News and Observer,* edited by Josephus Daniels. Both editorially and by means of the cartoons of Norman E. Jennett, *The News and Observer* kept up a re-

[31] *The Caucasian,* March 2, 1899.
[32] *The News and Observer,* Oct. 8, 1899.

lentless attack against the "Repop-lican" bosses and their Negro allies. Other notable press champions of the amendment were *The Charlotte Observer,* the Wilmington *Messenger,* the Wilmington *Morning Star,* and *The Asheville Citizen.* The Democrats had an obvious advantage in the number and circulation of their newspapers. The opposition, however, was not entirely lacking in press spokesmen. *The Caucasian,* Senator Butler's paper, was moved from Clinton to Raleigh and made the official Fusionist organ. It very consistently opposed the amendment. *The Asheville Gazette,* which had been Democratic, came out against the amendment and reflected the opposition sentiment in the West.[33]

The Democrats entered the campaign for the adoption of the amendment with two rather serious handicaps. In the first place, Chairman Simmons, the Democratic press, and a number of Democratic speakers during the campaign of 1898 had promised that if the Democrats carried the election no voter would be disfranchised.[34] Then, within three months after the election, the legislature, controlled by a strong Democratic majority, had submitted to the people the Suffrage Amendment designed to disfranchise thousands of illiterate Negroes. The Fusionists were not slow to grasp this opportunity to accuse the Democratic party of inconsistency.

The Democratic leaders could not deny these facts. They did attempt, however, to explain this "seeming inconsistency" by saying that the promises which had been made during the campaign represented simply the opinions of those individuals who made them. The *Democratic Handbook of 1900* explained still further:

> The proposed amendment is not the work of the State Executive Committee, or of the chairman of any committee of individuals. It originated with the people at and just prior to the election. It was prepared and passed by the chosen representatives of the people and not by self-appointed bosses.[35]

This explanation, though not very convincing, was perhaps as good as any that could have been made. There could be no getting

[33] *The Charlotte Observer,* Jan. 31, 1900.
[34] *Ibid.,* Sept. 25, 1898; *The News and Observer,* Oct. 25, 1898.
[35] *The [North Carolina] Democratic Handbook, 1900,* p. 4.

around the fact that the same Democratic leaders who had promised that there would be no disfranchisement had championed the Suffrage Amendment from its very inception.

The other charge of breach of faith brought against the Democrats was that of violating the agreement with the federal government under which North Carolina was restored to its position in the Union during Reconstruction. The Enabling Act of Congress in 1868 had readmitted North Carolina and five other Southern states only on condition that their respective state constitutions should never be amended so as to deprive any class of citizens of the right to vote who were enfranchised by the state constitutions adopted that year. The proposed constitutional amendment was, of course, violative of the spirit of this agreement, since the sole purpose of the amendment was to take away that political power which had been given to the Negroes in 1868.

This charge seems to have caused the Democratic leaders little worry since the great majority of North Carolinians decidedly abhorred the terms of Radical Reconstruction. They simply "cut the Gordian knot" by saying that the agreement made by the State on the occasion of its readmission to the Union in 1868 had been made under duress and was not morally binding. Furthermore, it was asserted that the Reconstruction Acts of Congress were actually unconstitutional; the Negroes had been permitted to vote for the state constitution which provided for their own enfranchisement.[36]

The principal argument used by the Populist and Republican speakers against the amendment was that the "Grandfather Clause" was unconstitutional. The clause embraced an obvious discrimination, they said, since Negroes had not been permitted to vote in North Carolina between the years 1835 and 1868. The chance of a Negro's proving that any of his ancestors voted before 1867 would be practically nil; hence the "Grandfather Clause" provided for a discrimination on account of "race, color,

[36] *The Asheville Citizen*, Oct. 15, 1899.

or previous condition of servitude," and was therefore violative of the Fifteenth Amendment to the Federal Constitution.[37]

Should the United States Supreme Court declare Section 5 of the proposed amendment [the "Grandfather Clause"] unconstitutional, as the foes of the amendment predicted that it would do, then Section 4, which set up a simple educational qualification for voting, would stand as a part of the constitution of North Carolina. This would unquestionably result in the disfranchisement of thousands of illiterate white voters. The Fusionists lost no opportunity to stress this point, especially in the Western counties where the rate of white illiteracy was comparatively high.

The resolutions adopted by the Populist Executive Committee on January 18, 1900, furnish an example of the anti-amendment argument:

> We warn the white people that this amendment will disfranchise approximately as many white men as it will Negroes in this state, and will leave the Negro still a factor in politics, with as much power as he now has. . . . This is a white man's government and will always be; there are two white voters to every colored voter, hence the state is in no danger of Negro supremacy. And since our Supreme Court has decided that the Legislature may pass such laws for each county as is necessary for its proper government,[38] no Eastern county need fear Negro rule. . . . This amendment if adopted would end popular government in this state. It would turn the offices over to a select few, who would not feel bound to respect the rights of the common man, because the common man would not be able to enforce respect at the ballot box.[39]

The Fusionist leaders represented themselves as the sole champions of the illiterate whites. Having warned them of the unconstitutionality of the "Grandfather Clause," the Fusionists emphasized the point that whether or not the "Grandfather Clause" was overthrown, poor white boys who would come of age after 1908 would be disfranchised unless they could read and write.[40] The poll tax prerequisites, too, would work a hardship on the less fortunate citizens of the State, it was said.

An additional argument advanced against the amendment was that it would disfranchise the good old country "darkey"

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[37] *The Caucasian*, Jan. 4, 1900.
[38] Harris *v.* Wright *(North Carolina Report*, No. 121, p. 172.)
[39] *The News and Observer*, Jan. 19, 1900.
[40] Registration under the "Grandfather Clause" was not to be permitted after 1908.

and leave the vote in the hands of the city Negro who had had the advantages of an education but, in other respects, was apt to be a less desirable type than his country cousin. The class of literate Negroes would still furnish enough voters to give the Negro the balance of power in close elections. White politicians would continue to appeal to the Negro vote, and political conditions in the State would, in no sense, be improved by the adoption of the Suffrage Amendment.

To these arguments against the amendment, the Democrats replied vigorously. As to its constitutionality, Chairman Simmons asserted that the amendment in no way denied or abridged the right of any man to vote; it simply established a suffrage qualification. If a Negro was able to read and write or could prove that he was a voter in any State in 1867 or a descendant of such a voter, there was nothing in the amendment to prevent his voting. In justification of the "Grandfather Clause," Mr. Simmons pointed out that if one had exercised in the past the right to vote or had been in family association with such a voter, he was presumed to have the necessary qualifications for voting.[41]

But the Democrats had to do more than simply prove that the amendment was constitutional; they had to show that it was needed. In order to justify the proposed suffrage restrictions, they described the deplorable conditions which had resulted from Negro office-holding in the East. *The Democratic Handbook of 1900,* with obvious exaggeration, painted a lurid picture of conditions in the Black Belt:

> Whole communities felt that they were standing, as it were, upon a smoldering volcano which might break forth at any time. White women were afraid to travel the road unprotected or to be left at home alone. Men went armed by day and by night, not knowing what an hour might bring forth.[42]

In its campaign literature, the Democratic Committee did not hesitate to appeal to race feeling. It was asserted, for instance, that the two races could live together "in peace and prosperity

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[41] *The Asheville Citizen,* Feb. 1, 1900.
[42] *The [North Carolina] Democratic Handbook, 1900,* p. 10.

only when the stronger race governs and the weaker race acquiesces." Any other course would produce conflict and "conflict means danger to the weaker race."[43]

Perhaps the most effective argument for the amendment was that it would purify politics, since the illiterate Negro would no longer be the pawn of politicians. But the Populists and Republicans were frankly skeptical of these Democratic promises of a new and fairer day. They said the Democratic cry of "Negro domination" was simply propaganda designed to consolidate and fortify the position of the Democratic party in control of the state government. The platform of the North Carolina Republicans in 1900 asserted:

> In spite of the official records, which show that there has been no Negro domination in the State or in any of its counties during the past quarter century, the Democratic leaders have determined to wage the coming election upon the race issue alone.[44]

An unexpected development in the campaign came on January 8, 1900, when Jeter C. Pritchard, North Carolina's Republican Senator, introduced in the United States Senate a resolution declaring that the Suffrage Amendment being considered in his State was violative of the Fourteenth and Fifteenth Amendments to the Federal Constitution. There was no North Carolina Democrat in the Senate to fight the Pritchard resolution, but other Southern Democrats responded to the challenge. Senators H. D. Money of Mississippi, Samuel D. McEnery of Louisiana, and John T. Morgan of Alabama spoke at great length against a Senate condemnation of the North Carolina amendment, and Senator Pritchard was unable to muster sufficient support to secure the passage of his resolution. There was exhibited no great enthusiasm for the protection of the suffrage rights of the Negro at this time, even among the Northern Republicans.[45]

Meanwhile, the Democrats in North Carolina were busy organizing White Supremacy clubs and in other ways waging a vigorous campaign for the adoption of the amendment by the state electorate in August. Districts were mapped out by the

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[43] *The [North Carolina] Democratic Handbook, 1900,* p. 48.
[44] *Appleton's Annual Cyclopædia,* 1900, pp. 44-45.
[45] *Congressional Record,* Vol. 33, Pt. 1, p. 670; Pt. 2, pp. 1037 ff.

Democratic Executive Committee, and the gospel of "White Supremacy" was systematically spread by speakers "from Cherokee to Currituck." Many prominent party leaders might be mentioned as having served in this capacity, but the length of such a roster makes its listing prohibitive. Especial note should be taken, however, of the work of Charles B. Aycock, the Democratic nominee for governor. Aycock was possessed of a wonderful physique, a keen mind, and an unusual ability to sway his audiences. He, perhaps more than any other individual, was responsible for winning the support of the masses for the amendment. Along with suffrage reform, he made popular the idea of universal public education. In a speech at Shelby on May 1, Aycock pledged the Democratic party to "the education of every illiterate white child in North Carolina."[46]

These two parts of the Democratic program naturally went hand in hand. If an educational qualification for voting was to be set up, then the State was more or less obligated to provide future citizens with a school system adequate to banish illiteracy. As was to be expected in a "White Supremacy" campaign, however, little was said about public education for Negroes.

The Fusionists, too, had able campaign speakers. Senators Butler and Pritchard were especially active in the Central and Western counties where they repeatedly warned the illiterate whites of the danger of disfranchisement which the amendment held for them in the event that the "Grandfather Clause" was not sustained by the courts. In the hope of reaching larger audiences, Butler suggested that a series of debates be held in various parts of the State between the candidates of the rival political factions. But Chairman Simmons declined for the Democrats on the grounds that he did not wish to divert attention from the amendment by injecting personalities into the campaign. Whereupon, Butler accused him of being afraid to let the people hear both sides of the question,[47] and the Fusion

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[46] *The News and Observer*, May 2, 1900.

[47] *Some Correspondence Between the North Carolina Chairmen of Two Political Organizations.* (Pamphlet in Duke University Library.)

press made frequent references to "White Feather" Simmons. The ridicule of the opposition even took the form of verse:

Alas for poor old Simmons
His every trick and scheme
Will vanish from his vision
Like some nocturnal dream.

At the proposed amendment
We'll fire our biggest gun;
Vote for equal rights to all
And special rights to none.[48]

As the campaign progressed, it became increasingly clear that the "White Supremacy" issue was cutting across party lines. Many individual Populists were openly championing the amendment, while on the other hand some western Democrats, alarmed over the possibility of disfranchisement, were fighting the amendment. Each party made a desperate effort to hold its own membership as well as to encourage desertion from the opposition camp. The Populists recommended a constitutional amendment which would prohibit office-holding by Negroes, and the Democrats looked anxiously to the legislature to make some last-minute changes in the amendment in order to render it acceptable to the voters in the western counties.

The legislature met in adjourned session in June, 1900, and inserted an additional clause in the Suffrage Amendment to the effect that all parts of the amendment should stand or fall together.[49] Also, some of the most criticized features of the Election Law of 1899—"Simmons Ballot Box Regulator"—were eliminated. Among these was the requirement that one seeking to register might be required to prove his identity by the testimony of two witnesses.[50]

The campaign closed with numerous threats and a few acts of violence committed by rabid partisans on both sides. Several Democratic registrars were forced at the point of a gun to register Negroes, while a white Republican named Teague was driven out of Smithfield and Selma for attempting to arouse the Negroes. John D. Bellamy of Wilmington, representative from

[48] *The Caucasian*, May 10, 1900. (The verses were written by A. Kenneth Parker.)
[49] Connor, Henry G., *The Constitution of North Carolina: Annotated*, p. 1 viii.
[50] *Public Laws of North Carolina* (Adjourned Session), 1900, Chap. 1.

the Sixth Congressional District, made a public assertion that Senator Butler ought to be run out of the State. Butler retorted by inviting him to come to Raleigh and begin the "expelling business" at once or else "have the decency to keep your mouth shut."[51]

Despite these ominous forebodings, the day of the election, August 2, passed quietly and with results most gratifying to the Democrats. The Suffrage Amendment was carried by a majority of 53,932 votes. Likewise, Charles B. Aycock received 186,650 votes to 126,296 for Spencer B. Adams, his Fusionist opponent for the governorship.[52]

The Democratic press was jubilant. Said *The Charlotte Observer:*

> In all, Thursday was one of the greatest days that ever dawned upon North Carolina. . . . We are to have safe, honest, and economical government; we are to be an educated people; we are to be a free people, saying and writing what we think for the first time in forty years.[53]

The Fusionists, on the other hand, cried aloud that they had been cheated at the polls in this election dedicated to the purity of the ballot. A correspondent from Beaufort County wrote to *The Caucasian:*

> The agents and appointees of the Democratic party stole everything in sight on the 2nd, election day. They refused to register in the county 400 who were entitled to register; they intimidated 250, who after registering, scratched their names off the books. They made the voters in many places put their ballots in the box, and in other precincts they put the tickets in the wrong box purposely and in the count threw them out. The vote cast, if counted correctly, would have defeated them in this county.[54]

Despite the vigorous Democratic denials, the returning of large majorities for the "disfranchising" amendment from black counties like New Hanover and Halifax leads one to suspect that there must have been some irregularities in the conduct of the election. But the white voters of the State had been so deeply

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[51] *The News and Observer*, July 7, 15, 1900; *The Charlotte Observer*, Aug. 12, 1900.
[52] Connor, R. D. W. (ed.), *North Carolina Manual* (Raleigh, 1913), pp. 1006, 1018.
[53] *The Charlotte Observer*, Aug. 3, 1900.
[54] *The Caucasian*, Aug. 9, 1900.

aroused during the campaign that the amendment would probably have passed even though the verdict of a few doubtful counties had been reversed.

There were a number of reasons for the Negro's not taking a more active interest in the election. In the first place, Governor Russell had advised the Negroes to abstain from voting and allow the courts to deal with the amendment if it should pass.[55] But what is probably more important, the Negro had been told by the Democratic majority during the campaign in no uncertain terms that he was not expected to vote. Public opinion had been so strongly aroused against Negro voting that most Negroes probably chose to remain on good terms with their white neighbors and employers by staying away from the polls.

Aside from the crystallization of public sentiment against Negro suffrage, the "White Supremacy" campaign resulted in the incorporation of educational tests in the state constitution which could and, no doubt, would be used to disfranchise the great mass of Negroes if they should attempt to vote. Actually, the educational qualification has proved more useful as a threat than as an active deterrent to Negro voting. The Negroes were wise enough to heed the signs of the times.

An indirect, but none the less important, result of the campaign of 1900 was the educational awakening which took place in the State during Governor Aycock's administration. Aycock had made a pre-election promise to inaugurate a program of public education which would enable every white boy in North Carolina to pass the educational test for voting by 1908—the end of the time alloted for the operation of the "Grandfather Clause." That promise was carried out in good faith by Governor Aycock with the support of the Democratic majority in the legislature.

For the time being, at least, the Negro race was virtually disfranchised in North Carolina; what of the prophesied political results? It was frequently asserted during the campaign of 1900 that, with the Negro out of politics, a wholesome division among the white voters on current questions would occur. But in spite of the fact that the Republican party in North Carolina

[55] *The Charlotte Observer*, July 20, 1900.

has renounced its former Negro allies and become "lily white," the Democrats have won every important state election since 1900. The Populist party simply faded out of the picture after the turn of the century. More than ever before, North Carolina is a "one-party state"; the real contests are decided in the Democratic primaries.

Another promised blessing of Negro disfranchisement was the purification of politics in the State. With the illiterate Negroes legally eliminated from the electorate, there would be no longer any occasion to cheat at the polls to maintain "White Supremacy," it was said. Notable improvement has been made in this respect. No fair-minded observer can deny that the political morality of the State to-day is higher than in the hectic days of the 1890's. But cannot this be accounted for, in part at least, by the lack of close political contests?

The framers of the amendment were seeking a permanent solution of the very troublesome question of the Negro in politics. To what extent have their aims been realized thus far? In the first place, it must be remembered that those men who constituted the soul of the movement for suffrage reform contemplated the disfranchisement of the illiterate Negroes only. The political proscription of the whole Negro race for a time came as the unfortunate result of the embitterment of race feeling during the "White Supremacy" campaign of 1900. Henry G. Connor, writing to Judge George Howard in 1902, expressed regret at what seemed to be the outcome of his own labor and that of his associates:

> I have been very much surprised at the small number of Negroes who have registered. I fear that the shrinkage in the number will make the Negro absolutely indifferent to his political interests and welfare and the whites will be emboldened to oppress him in his material and educational interests. It is a serious question whether 100,000 freemen can maintain any satisfactory status in North Carolina without any political power or influence.[56]

More recently there has been exhibited a renewed interest in politics on the part of the better educated Negroes in the State. Especially has this been true in the principal centers of Negro

[56] Henry G. Connor to George Howard, Nov. 3, 1902. *Loc. cit.*

education, such as Raleigh, Durham, and Greensboro. Since the expiration of the time limit for registration under the "Grandfather Clause" in 1908,[57] there has been in the North Carolina constitution a simple educational prerequisite for voting, equally applicable to both races. But the barrier of public opinion still stands in the way of a general participation of the Negroes in North Carolina politics. A conclusion reached by Henry G. Connor two years after the adoption of the amendment seems equally as true to-day: "The future is not by any means free from disturbing questions—but I suppose that in some way it will all work out all right."[58]

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[57] The constitutionality of the North Carolina "Grandfather Clause" was never tested before the Supreme Court. A somewhat similar clause in the Oklahoma Constitution was, however, declared unconstitutional by the United States Supreme Court in 1910. Guinn and Beal *v.* United States (238 U. S. 347).

[58] Henry G. Connor to George Howard, Nov. 3, 1902. *Loc. cit.*

SOUTHERN HOUSEWIVES BEFORE THE REVOLUTION

By JULIA CHERRY SPRUILL

Janet Schaw, visiting Carolina in 1775, found there much not to her liking. The women, however, she regarded with admiration. Generally, she observed, they were excellent housewives and mothers, carefully instructing their daughters in "the family duties necessary to the sex," and in "other accomplishments and genteel manners."[1] She praised her Carolina-born sister-in-law for her maternal and domestic accomplishments, declaring that her dairy and garden were proofs of her industry;[2] and she thought Mrs. Cornelius Harnett a woman of extraordinary good sense. "They tell me," she wrote, "that the Mrs of this place ["Hilton," seat of Cornelius Harnett] is a pattern of industry. She has (it seems) a garden, from which she supplies the town with what vegetables they use, also with mellons and other fruits. She even descends to make minced pies, cheesecakes, tarts and little biskets, which she sends down to town once or twice a day, besides her eggs, poultry and butter, and she is the only one who continues to have Milk."[3]

The domestic achievements of other women are on record. Colonel William Byrd of Virginia boasted of his daughters to an English friend: "They are every Day up to their Elbows in Housewifery, which will qualify them effectually for useful Wives and if they live long enough, for Notable Women."[4] Fithian praised the wife of Councillor Robert Carter of "Nomini" as "a remarkable Economist," and several times noted her housewifery activities in his journal. On one occasion, she showed him her stock of mutton and fowl for the winter, observing that to live in the country and take no pleasure in cattle and domestic poultry would be to her a manner of life too tedious to endure. Again, returning home at candlelight, he found her "seeing to the Roosting of her Poultry." Several times he

[1] Andrews, Evangeline Walker, and Andrews, Charles McLean (eds.), *Journal of a Lady of Quality*, pp. 155-156.
[2] *Ibid.*, pp. 160-161.
[3] *Ibid.*, pp. 178-179.
[4] Letter to John Lord Boyle, February 2, 1726/27, *Virginia Magazine of History and Biography*, XXXII, 30.

walked with her in her kitchen and flower gardens, heard her give directions to the gardeners, and was impressed by her fig and apricot grafts and asparagus beds.[5] Eliza Pinckney of South Carolina, though distinguished herself for intellectual attainments and agricultural experiments rather than for household occupations, nevertheless was proud of her daughter's housewifery. Soon after the daughter's marriage, she wrote her son-in-law: "I am glad your little Wife looks well to the ways of her household. . . . The management of a dairy is an amusement she has always been fond of, . . . I find, as you say, she sends her instructions far and near . . . she has people out gathering simples, different kinds of snakeroot, and pinkroot, and is distilling herbs and flowers."[6]

There were doubtless many other capable housewives. The home was the only field in which superior women might distinguish themselves. It was by no means a narrow sphere, but one wherein individual initiative and executive ability as well as many other talents might be put to use. But the fact that the care of a family was the only career open to them and that it furnished an opportunity for the expression of broad and varied abilities scarcely justifies a general assumption that all colonial women lived up to or even realized the possibilities of their calling. Their domestic activities, like those of women today, varied in accordance with their personal inclinations and capacities as well as with their social and economic positions. Wives of large planters and slaveholders, ladies in town mansions, women in frontier cabins, and the poorer sort in town, country, and backwoods naturally had very different employments, and all women of the same class by no means had the same interest, training, and skill in household affairs.

It is easiest to obtain information about the life of the mistress of a large plantation. She usually had a variety of interesting employments, sufficient help to save her from drudgery, and opportunities to express many-sided abilities. Her chief duties had to do with providing food for her large family and the innumerable guests enjoying her ever-ready hospitality. She had

[5] Fithian, Philip, *Journal and Letters, 1767-1774*, pp. 61-72, 77, 79, 105, 111, 126.
[6] Ravenel, Harriott Horry, *Eliza Pinckney*, pp. 243-244.

not merely to see to the cooking and serving of food, but also to arrange for her supplies, many of which came from her own garden, smokehouse, poultry yard, and dairy. Some idea of the enormous quantity of provisions used in great houses is indicated in Fithian's report of a conversation with the mistress of "Nomini." She informed him that her family consumed annually 27,000 pounds of pork and twenty beeves, 550 bushels of wheat, four hogsheads of rum, and 150 gallons of brandy. One hundred pounds of flour were used weekly by the immediate household; white laborers and Negroes ate corn meal.[7]

A feature of social life increasing the responsibilities of the mistress was the custom of inviting into her home all persons needing shelter and refreshment, strangers as well as friends. Beverley wrote that a traveller in Virginia needed no better recommendation to the generosity of the people than that he was "a human creature." If he wanted food or lodging, all he needed to do was inquire the way to the nearest gentleman's seat.[8] The other southern colonies had the same reputation for hospitality. William Eddis observed that the Maryland mansions were "as well known to the weary, indigent traveller as to the affluent guest."[9] Brickell found the North Carolinians as hospitable as any people in the world and was of the opinion that they gave away more provisions to guests than were consumed by their own families.[10] A visitor in South Carolina in 1751 wrote that the inhabitants kept Negroes at their gates near the public roads to invite travellers in for refreshments.[11]

The mistress had not only to be Lady Bountiful to these strangers within her gates, but had also to be prepared for unexpected visits from friends and relatives. Though they sometimes dined out by special invitation, the colonists considered such formality unnecessary. Whole coach-loads of young and

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[7] Fithian, *op. cit.*, p. 121.

[8] Beverley, Robert, *History of Virginia*, p. 258.

[9] *Letters from America, 1769-1777*, pp. 28-29.

[10] Brickell, John, *History of North Carolina*, pp. 11, 30.

[11] De Brahm, William Gerard, "Philosophico-Historico-Hydrogeography of South Carolina," Weston, P. C. J. (ed.) *Documents Connected with South Carolina*, p. 178. See also Hammond, John, "Leah and Rachel," *Narratives of Early Maryland*, p. 293; Norwood, Henry, "Voyage to Virginia," Force, Peter (comp.), *Tracts and Other Papers*, III, No. 10, p. 48; Michel, Francis Louis, "Journey, 1701-1702," *Virginia Magazine*, XXIV, 114-115; Jones, Hugh, *Present State of Virginia*, p. 49; Oldmixon, John, *British Empire in America*, I, 427-429; Gordon, Lord Adam, "Journal," Mereness, N. D. (ed.), *Travels in the American Colonies*, pp. 397-398, 409; Smyth, J. F. D., *Tour*, I, 65, 66, 68, 69, 70, 71; and Anburey, Thomas, *Travels*, II, 314.

old with retinues of servants felt no hesitation in descending without warning upon an unsuspecting matron, and she was supposed to lodge and feed them however great their number might be. It is true, however, that she was not expected to furnish a great deal in the way of comforts. A place at the table and a half or even third share in a bed was all that any guest expected. A bed to oneself was a rare luxury and a private room unthought of.

According to contemporary accounts, from early days gentlewomen loaded their tables with a great variety of foods. A visitor in Jamestown in 1634 found in the better houses "tables fournished with porke, kidd, chickens, turkeys, young geese, Caponetts, and such other fouls . . . besides plentie of milk, cheese, butter, and corne."[12] Beverley wrote in 1700 that the Virginians had a great variety of provisions for their tables, and that the gentry had "their Victuals drest, and serv'd as nicely, as if they were in London."[13] Jones praised the Virginia food, mentioning particularly the hot breads and the bacon and hams.[14] The most ordinary drinks of the Virginians were homemade beer and cider, punch brewed with West Indian rum, apple and peach brandy, and metheglin, a mixture of honey and water. Claret, Fayal, Madeira, and Rhenish were among the wines found usually on gentlemen's tables. A great deal of tea, coffee, and chocolate was drunk also. Brickell wrote that the diet of the North Carolinians consisted chiefly of beef, mutton, pork, venison in abundance, wild and tame fowl, fish of several delicate sorts, roots, fruits, several kinds of salads, good bread, butter, milk, cheese, rice, and Indian corn. Liquors in ordinary use were rum, brandy, malt, tea, coffee, and chocolate.[15]

A surprising variety of vegetables appeared on gentlewomen's tables. The colonists paid great attention to their gardens, importing skilled gardeners as well as plants and seeds from the Mother Country, and experimenting extensively with native

[12] "Extract of a Letter of Captain Thomas Yong to Sir Toby Matthew, 1634," *Narratives of Early Maryland*, p. 60. See also Hammond, "Leah and Rachel," *ibid.*, p. 291.
[13] *Op. cit.*, pp. 251-254.
[14] *Op. cit.*, pp. 41-42.
[15] *Op. cit.*, pp. 38, 39. The food in South Carolina was similar. See Nairne, Thomas, *Letter from South Carolina, 1710*, pp. 7-11; Ash, Thomas, "Carolina," Wilson, Samuel, "Account of Carolina," and Newe, Thomas, "Letters," in *Narratives of Early Carolina*, pp. 141-149, 171-172, and 181-184; and Gordon, Lord Adam, *op. cit.*, p. 400.

plants. Dr. Mazzei, who came to Virginia in 1773 to help introduce the cultivation of several agricultural products of Italy and was entertained in many of the best homes, observed that the housewives were very ambitious to place before their guests fruits and vegetables out of season.[16] By successive plantings and the use of greenhouses and hotbeds, the energetic matron made her menus varied and attractive. Beverley declared that kitchen gardens throve nowhere better than in Virginia, where they had all the "culinary plants" that grew in England and many more besides.[17] President Blair of William and Mary wrote in his diary of having asparagus on his table in March and green peas in September.[18] In North Carolina gardens, according to Brickell, were parsnips, carrots, turnips, beets, artichokes, radishes, several kinds of potatoes, leeks, onions, shallots, chives, and garlic. Salads commonly grown were curled cabbage, savoy, lettuce, "round prickly Spinage," fennel, endive, succory, mint, rhubarb, cresses of several kinds, sorrel, and purslane. Mushrooms sprang up all over the fields; asparagus throve without hotbeds; and celery, coleworts, cucumbers, and squash were plentiful.[19]

In the preparation and serving of food, the colonial mistress had to guide her, not only the verbal instructions handed down from her mother and the manuscript directions exchanged with friends, but also a number of printed treatises. E. Smith's *Compleat Housewife,* Martha Bradley's *British Housewife,* Mrs. Glasse's *Art of Cookery,* and other "Bookes of cookery"[20] were often mentioned in wills and inventories and frequently advertised in newspapers. Some of these manuals have been preserved and throw light upon the culinary art and the etiquette of serving at the time. The recipes show that dishes were rich, highly seasoned, and often complicated. Meats were usually boiled, roasted, stewed, fried, fricasseed, or made into a ragout or pie, and were invariably served with rich stuffings, sauces, and gravies. A mushroom sauce highly recommended for fowl

[16] *William and Mary College Quarterly,* second series, IX, 168.
[17] *Op. cit.,* p. 253.
[18] *William and Mary Quarterly,* VII, 137.
[19] *Op. cit.,* p. 18.
[20] For descriptions of these and other housewifery manuals, see Spruill, Julia Cherry, "The Southern Lady's Library, 1700-1776," *The South Atlantic Quarterly,* XXXIV, 23-41 (January, 1935).

was made as follows: "Pick a Pint of Mushrooms very clean, wash them, put them into a Saucepan, and put to them one Blade of Mace, a little Nutmeg, and a small Pinch of Bay Salt; add a Pint of Cream and a good Piece of Butter rolled in Flour; set them on a gentle Fire and let broil some little Time, keeping frequently stirring them; when they are enough lay the Fowl in the Dish, pour this Sauce in, and garnish with Lemon."[21] A gravy for veal cutlets was made of white wine, butter, oysters, and sweet breads. The numerous recipes for cakes, puddings, creams, syllabubs, and tarts required lavish use of butter, cream, eggs, and spices.[22]

Dishes were contrived to please the eye as well as the palate. Among the articles advertised by American shopkeepers just before the Revolution were "shapes, ornaments, and mottoes for Desserts," and recipes often recommended the use of parsley or lemon for a garnish. Eggs were fried in a whirlpool of butter to make them round in shape, and spinach prepared "the French way" was stewed in cream and butter and served with fried bread sticks and poached eggs for a garnish. "Much Nicety of Hand" was said to be necessary in "dressing up a Salamagundy," a cold dish of sliced chicken, anchovies, eggs, and onions arranged in prescribed order on lettuce leaves and served with a dressing of oil and vinegar. "Tansy," an "elegant pudding," was made of a quart of cream, twenty eggs, and half a pound of almonds, flavored with orange-flower water and tansy, colored with enough spinach to make it "a lively green," and decorated with blanched almonds, citron, and sliced oranges.[23]

Besides innumerable recipes, the housewifery manuals furnished the mistress with "bills of fare" and engraved "schemes" for the proper arrangement of her dishes on the table and instructions in the etiquette of serving. Dinner menus comprised many dishes, all of which were placed upon the table at once. When on special occasions two courses were served, each consisted of meats, fowl, fish, and vegetables as well as tarts,

[21] Bradley, Martha, *The British Housewife*, I, 45.

[22] *Ibid.*, II, 75; I, 570, 571, 548. "Common Pancakes" were made with eight "new-laid eggs," "a piece of butter as big as a walnut," a quart of milk, and a glass of brandy. "Rich Pancakes" required a dozen and a half eggs, half a pint each of sack and cream, and several spices; and a "Quaking Pudding" called for a quart of cream and twelve eggs.

[23] *Ibid.*, I, 565, 671, 360; II, 90-91.

creams, cakes, pies, and puddings. An especially ornamental dish or "grand conceit" was used as a centerpiece and the other dishes were arranged, preferably in even numbers, on each side and at the ends. A plan for an every-day dinner in winter suggested by *The Compleat Housewife* had in the first course a giblet pie in the center, gravy soup and chicken and bacon at one end, roast beef surrounded by horse-radish and pickles at the other end, and Scotch collops and a boiled pudding on each side. The second course consisted of a tansy with orange in the middle of the table, woodcocks on toast and a hare with a savory pudding on each side, and a roasted turkey and a buttered apple pie at each end. Dishes were more numerous on special occasions.

The mistress presided over the table and carved and served. Carving was one of the accomplishments in which the English lady took great pride. She was instructed in this just as she was taught to dance and play upon the harpsichord. The variety of terms and complicated directions for carving lead us to wonder if this were not the most difficult of the arts she had to master.[24] We read of Lady Mary Wortley Montagu, who as a girl presided over her father's table, that she not only had to "persuade and provoke his guests to eat voraciously," but had also to carve every dish with her own hands, carefully choosing the right morsel for every man according to his rank. She was instructed by a carving master three times a week, and on days when there was to be company ate her dinner beforehand.[25]

In the eighteenth century, the lady's duties in "doing the Honours of the Table" were somewhat modified. A housewifery book much used in the colonies just before the Revolution explained that in a former period it had been considered proper for the lady to help her guests, both because she was supposed to understand carving and to know where the best bits lay, and also because it gave her an opportunity to show with what satisfaction she waited upon her friends. The French manner, which

[24] According to a popular seventeenth century treatise, no lady of quality would say "Cut up that Chicken or Hen." The correct terms for handling small birds were "Thigh that Woodcock, Mince that Plover, Wing that Quail or Partridge, Allay that Pheasant, Untack that Curlew, Disfigure that Peacock, Unbrace that Mallard, Spoil that Hen, Lift that Swan, Rear that Goose." The directions for attacking fish were equally as exact: "Chine that Salmon, String that Lamprey, Splat that Pike, Sauce that Plaise, Culper that Trout, Tame that Crab, Barb that Lobster." Hannah Wooley, *The Gentlewoman's Companion, or Guide to the Female Sex.*

[25] Bradley, Rose M., *The English Housewife in the Seventeenth and Eighteenth Centuries*, p. 107.

later became fashionable, was for every person to help himself to the dishes near him and pass his plate to be served by the person sitting near whatever he desired. Under the old English plan, it pointed out, when there was a large company, the mistress had little opportunity to taste any food, while in the French fashion she was only one of the company. The French fashion, the author suggested, was suited to great houses where the dishes and guests were so numerous that the mistress could not serve everybody, but in smaller families and on ordinary occasions, the best form was for the lady to help everybody once and then ask the company to take care of themselves.[26]

Wealthy colonial ladies in the eighteenth century were supplied with the equipment necessary for serving meals in the best English manner. Rich mahogany tables, costly damask tablecloths and napkins, handsome silver plate and china adorned their tables. Yet, there were features unattractive to a twentieth-century diner. Food, prepared in an outdoor kitchen by a Negro cook and a retinue of slave helpers, was carried by slave waiters through all kinds of weather into the mansion house. Despite the use of covered dishes, it must often have been tepid and limp by the time it reached the diners. The slave waiters, too, often uncouth and scantily clad, must have formed a shocking contrast to the sumptuousness of the food and the elegance of the table appointments. A visitor in the Southern colonies at the time of the Revolution wrote: "I have frequently seen in Virginia, on visits to gentlemen's houses, young negroes and negresses running about or basking in the courtyard naked as they came into the world, with well characterized marks of perfect puberty; and young negroes from sixteen to twenty years old, with not an article of clothing, but a loose shirt, descending half way down their thighs, waiting at table where were ladies, without any apparent embarrassment on one side, or the slightest attempt at concealment on the other."[27] Timothy Ford, a New Englander in South Carolina, declared that at dinner the slaves surrounded the table like a cohort of black

[26] Bradley, Martha, *The British Housewife*, I, 73-75.

[27] Chastellux, Francois Jean, Marquis de, *Travels in North America in the Years 1780, 1781, and 1782. . . . Translated from the French by an English Gentleman Who Resided in America at that Period*, note by translater, II, 83. At "Mount Vernon," "Nomini," and doubtless in many other great houses, the house servants wore uniforms.

guards, rendering very poor service because of the superfluity of them. No sooner was a call made, he explained, than there was considerable delay, either from all rushing at once, or all waiting for one another.[28] Irregularity in the time of serving meals must also have been trying to punctual persons. William Attmore mentioned in his journal being invited to dine at two o'clock at a gentleman's house in New Bern, North Carolina, and sitting down to dinner at four-thirty.[29] Such laxity was common. The frequent and unexpected arrival of guests, the uncertainties in the mode of travel, and more especially the dependence upon slow and irresponsible Negro servants and the unhurried and easy-going life in general, discouraged any conformity to a strict schedule.

Fithian described the daily schedule at "Nomini," which was probably not unlike that which other orderly families attempted to observe. In summer the children were dressed and in the schoolroom by seven o'clock. The large bell rang at the "Great House" for breakfast at eight, and at nine rang again for the children to return to their lessons and the carpenters, gardeners, and other laborers to come to breakfast. At ten it called workmen back to their jobs, and at twelve announced the children's play hour. At two it called children and workmen to dinner, and at three returned them to study and work. School was dismissed at five-thirty, and late in the afternoon Mrs. Carter served coffee at the "Great House." Supper came between eight and nine. In winter this schedule was made to run an hour later, and when there were guests, as was often the case, dinner was served at any time between two and four-thirty and lasted longer than the usual hour.[30] Chastellux, visiting in the home of General Nelson shortly after the Revolution, found that "An excellent breakfast at nine in the morning, a sumptuous dinner at two o'clock, tea and punch in the afternoon, and an elegant little supper, divided the day most happily."[31]

In most families supper was ordinarily a light meal, but breakfast was quite substantial, consisting of cold meats, fowl, game,

[28] "Diary," *South Carolina Historical and Genealogical Magazine*, XIII, 142-143.
[29] "Journal," *James Sprunt Historical Publications*, XVII, No. 2, p. 20.
[30] *Journal*, pp. 60-61, 177-178, 258.
[31] *Travels*, II, 19-23. According to Smyth, the Virginia gentleman of fortune usually rose about nine o'clock, breakfasted between nine and ten on bread, butter, thin slices of venison, ham, or beef, with tea or coffee, and dined between two and three. At dinner,

hominy, and hot breads. Dinner was the most considerable meal. Fithian, writing of the everyday fare at "Nomini," noted on the table at one time several kinds of fish and pickled crab besides a fine ham and an excellent shoulder of mutton, neither of which was touched during the meal. Dining at a neighbor's, he had "an elegant dinner; Beef & Greens; roast-Pig; fine boil'd Rock-Fish, Pudding, Cheese &c.—Drink; good Porter Beer, Cyder, Rum & Brandy Toddy."[32]

Josiah Quincy while in Charles Town, South Carolina, in 1773 was invited into the homes of the leading families, and has left interesting notes of the foods and ceremonies at dinners there. He dined with four other gentlemen in the home of David Deis and wrote of the occasion: "Table decent and not inelegant: provisions indifferent, but well dressed: . . . Salt fish brought in small bits in a dish made a corner. The first toast the king: second, a lady: the third, our friends at Boston and your (meaning my) fire-side. The master of the feast then called to the gentleman on his right hand *for a lady:* this was done to every one, except to the ladies at table (Mr. D's daughters about sixteen and eighteen) who were called upon for a *gentleman* and gave one with ease. The ladies withdrew after the first round . . . Glasses were exchanged every time wine was filled. A sentiment was given by each gentleman and then we were called to coffee and tea."[33] Later at Colonel Miles Brewton's, he had a dinner of three courses, after which were passed two sorts of

whatever else might be served, ham and greens or cabbage were standing dishes. He did not always drink tea in the afternoon, but between nine and ten in the evening ate a light supper, usually of milk and fruit, and retired almost immediately afterward. The middle and lower classes rose about six, breakfasted at ten on cold turkey, fried hominy, toast and cider, bread, butter, tea, coffee, or chocolate, and dined about the same hour as those of the first rank. But usually they had no supper and the women seldom and the men never drank tea in the afternoon. *Tour,* I, 41-43. John Harrower, tutor in a Virginia family, wrote that they breakfasted on tea, bread, butter, and cold meat, dined at two, and usually did not drink tea in the afternoon or have supper. "Diary, 1773-1776," *American Historical Review,* VI, 79.

32 *Journal,* pp. 141-142, 195, 205.

33 "*Journal,*" Massachusetts Historical Society, *Proceedings,* XLIX, 424-481. William Black, a Virginian on official business in Annapolis in 1744, gave this account of a dinner at the governor's mansion: "We were Received by his Excellency and his Lady in the Hall, where we were an hour Entertain'd by them, with some Glasses of Punch in the intervals of the Discourse; then the Scene was chang'd to a Dining Room, where you saw . . . a Table in the most Splendent manner set out with a Great Variety of Dishes, all serv'd up in the most Elegant way, after which came a Dessert no less Curious; Among the Rarities of which it was compos'd, was some fine Ice Cream which, with the Strawberries and Milk, eat most Deliciously. After this Repast was over, (which, notwithstanding the great Variety,) show'd a face of Plenty and Neatness, more than Luxury or Profuseness, We withdrew to the Room in which we was first Received, where the Glass was push'd briskly round, sparkling with the choicest Wines, of which the Table was Replenished with Variety of Sorts." "Journal," *Pennsylvania Magazine of History and Biography,* I, 126-127.

nuts, almonds, raisins, three kinds of olives, apples, oranges, and the richest wines he ever tasted. At Roger Smith's the provisions were even better, the wines good, and there was much festivity. Two ladies being called on for toasts, one gave: "Delicate pleasures to susceptible minds," and the other: "When passions rise may reason be the guide."

The drinking of toasts was as regular a practice in many families as the saying of grace. Colonel Thomas Jones of Williamsburg, Virginia, writing his wife in England about her seven-year-old daughter, Bessy Pratt, declared: "She drinks your health very cheerfully every day after dinner."[34] Fithian commented several times upon the toasts given at the Carters' dining table, confessing that when called upon for a lady, whatever name he gave, he had in mind his beloved Laura. It was also the fashion in England and in the colonies for gentlewomen to retire soon after dinner to a separate drawing-room, leaving the gentlemen free to indulge in further drinking and conversation considered unsuitable for ladies.

The colonial mistress was troubled by no concern for a balanced diet. Abundance and variety were the criteria by which her efforts were judged, and the recurrent bilious complaints of her family were not laid at her door but accepted as afflictions from above. Yet, one of her duties was the practice of "Family Physic." She not only doctored and nursed her patients, but sometimes even prepared her own medicines, rivalling the apothecaries in the concoction of salves, balms, ointments, potions, and cordials. Receipts for various nostrums were handed down from mother to daughter and exchanged among gentlewomen like recipes for favorite dishes and were usually given an important place in handbooks on domestic economy.[35] The *British Housewife* gave considerable attention to treatment of "the panes of the gout," cholic, agues, fevers, the "spleen," the "vapours," the "evil," "hysteric fits," and "hypochondriac complaints," which were among the chief ailments in vogue. "Aqua Mirabilis," one of the cordials doubtless often in demand, was

[34] Stanard, Mary Newton, *Colonial Virginia*, p. 112.

[35] An English lady of 1725 wrote her niece, a young housewife in Maryland: "I have sent hear to [hereto] . . . this my Great Book of Receipts . . . with all the Prescriptions that I have ever had from all the Dockters So that if you or any Friend you have has a head that way they may Set up for Great Praktes and do Good that way." *Maryland Historical Magazine*, IX, 126.

alleged to "be excellent in the Cholick, and against that Sickness and Uneasiness that often follow a full Meal." The mere thought of some of its potions must have been sufficient to frighten the most greedy gourmand into temperance. One highly recommended "Stomachick" was made by boiling garlic in sack. Another was concocted of snails, worms, hartshorn shavings, and wood sorrel stewed in brandy and seasoned with spices and herbs.[36]

Unlike northern and frontier housewives, the Southern mistress in the settled counties did not generally spin and weave the clothing of her family. The Southern planters had a staple agricultural product, which, while it fluctuated in price, always had a direct market, and, living on navigable streams or harbors, they conveniently exchanged their tobacco for English manufactured goods.[37] Many had even their plainer garments made in England. Others imported large quantities of materials at one time, which, as the need arose, were made up by tailors and seamstresses among their indentured servants. It is true that in many houses there were spinning wheels. Negresses were trained as spinners, and, when the price of tobacco sank below the cost of production or foreign wars obstructed trade, cloth was made for domestic use; but ordinarily clothing, blankets, quilts, and such articles were imported.[38]

As towns grew, an increasing number of shops sprang up, which imported and sold fashionable wearing apparel, and colonial tailors, mantuamakers, and milliners made clothing "after the latest London fashion." White seamstresses made the simpler garments. Clothing of slaves, which was sometimes of materials woven on the plantation, but oftener of coarse, imported stuffs, was often made by persons employed especially for the purpose. Wives of overseers, white gardeners, and carpen-

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[36] *Op. cit.*, I, 277, 612, 371-372.

[37] Hugh Jones wrote in 1723 that goods made in London or Bristol were delivered at the private landing places of Virginia gentlemen with less trouble and cost than to persons living five miles in the country in England. *Op. cit.*, p. 34.

[38] Bruce, Philip Alexander, *Economic History of Virginia*, II, 258-494. See also Tryon, Rolla Milton, *Household Manufactures in the United States, 1640-1860*, pp. 19-20, 37-40, 92-122. Beverley wrote of the Virginians: "They have their Clothing of all sorts from England. . . . Yet, Flax and Hemp grow no where in the World better than there. Their Sheep . . . bear good Fleeces; but they shear them only to cool them." (*History*, pp. 255-256.) See also Brickell, *op. cit.*, pp. 43, 254. A list of commodities imported from England into South Carolina made by Governor Glen in 1761 included cloths of all sorts from the finest broadcloth to Negro cloth, cambric to oznabrigs, calicoes and muslins, and ready-made clothes to a great value. Carroll, B. R., *Historical Collections of South Carolina*, II, 230.

ters were sometimes expected to supervise the cutting and help the Negro women make clothes for the slaves on the plantations where their husbands worked, and many white women earned a livelihood by nursing and sewing for slaves.[39]

With the beginning of the conflict with England, coarse stuffs for Negroes, and occasionally even finer materials for the planters' families, came to be made at home. Flax was planted, Negresses were taught to spin, and wheels were set in motion on every plantation. Washington, in response to the urge for homemade goods, hired a white woman to teach his slave girls to spin and built a house especially for spinning and weaving.[40] John Harrower in 1775 wrote in his diary of the activities on another plantation: "This morning 3 men went to work to break, swingle and heckle flax and one woman to spin in order to make course linnen for shirts to the Nigers. This being the first of the kind that was made on the Plantation. An before this year there has been little or no linnen made in the Colony."[41]

Well-to-do housewives were not only generally relieved of the necessity of making the clothing and household linen for their families, but they also had considerable assistance in the procuring of food supplies and the performance of other duties. Unmarried women relatives, who commonly made their homes with their married kin, were expected to aid the mistress. They frequently took over the direction of one or more branches of housewifery, like the dairy or poultry yard, and sometimes they assumed the entire responsibility of housekeeper. This extract from a letter of Charles Calvert in Maryland to his father in 1663 suggests the situation of many unmarried gentlewomen: "My Coz Wms sister arrived here & is now att my house, & has the care of my household affaires, as yett noe good Match does present, but I hope in a short time she may fine one to her own content & yr Lopps desire, and I shall further what I can towards it."[42]

Drudgery was done by white indentured servants and Negro

[39] Many advertisements appeared in the newspapers like that of Eleanor Chapman, who offered to live on a plantation, raise poultry, attend a dairy, nurse sick slaves, and make Negro clothes. *South Carolina Gazette*, July 23, 1772.
[40] Tryon, *op. cit.*, pp. 110-111.
[41] *American Historical Review*, VI, 103.
[42] "Calvert Papers," Maryland Historical Society, *Fund Publication*, No. 28, p. 244.

slaves, the most intelligent of whom were used as house servants. In the early part of the seventeenth century most of the domestics were white, probably because the newly imported Africans were unfit for housework, but toward the latter part of the century Negro domestics became common. At the time of the Revolution wealthy families had an extraordinarily large number of house servants. Chastellux wrote that the luxury of being served by slaves augmented the natural indolence of the Virginia women, who were always surrounded by a great number of Negroes for their own and their children's service.[43] Timothy Ford declared that the South Carolinians, from the highest to the lowest, required a great deal of attendance. From the multiplicity of servants, he felt, rather than the climate, arose the "dronish ease and torpid inactivity so justly attributed to the inhabitants of the southern states."[44] Eliza Pinckney, living very simply and alone in Charles Town after the marriage of her children, wrote of her domestics: "I shall keep young Ebba to do the drudgery part, fetch wood, and water, and scour, and learn as much as she is capable of Cooking and Washing. Mary-Ann Cooks, makes my bed, and makes my punch. Daphne works and makes the bread, old Ebba boils the cow's victuals, raises and fattens the poultry, Moses is imployed from breakfast until 12 o'clock without doors, after that in the house. Pegg washes and milks."[45] Here were six servants for one old lady. And this was a very modest establishment.

Besides bondservants and slaves, the mistress had a surprisingly large number of helpers who worked for wages. Expert gardeners and experienced housekeepers were common among those in easy circumstances. We find in the newspapers many advertisements like the following:

WANTED IMMEDIATELY

A DISCREET and capable Woman to officiate as Housekeeper in a Gentleman's Family. Such a Person, upon coming well recommended, will hear of a good Encouragement by Applying to the Post Office, Williamsburg.[46]

Washington apparently considered a housekeeper or steward indispensable at "Mount Vernon" not only after his retirement

[43] *Travels*, II, 203.
[44] "Diary," *South Carolina Historical and Genealogical Magazine*, XIII, 142-143.
[45] Ravenel, *Eliza Pinckney*, p. 245.
[46] *Virginia Gazette*, June 2, 1774.

from the presidency, when the large number of visitors turned his home into a tavern, but also during the first years of his marriage. He noted in his diary the coming and going of several housekeepers and recorded in his ledger sums paid for their wages. We find him at one time writing of the departure of his steward and seeking to hire another to "relieve Mrs. Washington from the drudgery of ordering, and seeing the table properly covered, and things economically used." Later he was advertising in the papers and writing his friends for a good housekeeper, declaring that Mrs. Washington's fatigue and distress for the want of one were so great that the matter of salary would be of no consideration.[47]

In addition to the housekeeper, Mrs. Washington and other matrons of her class usually had the assistance of other white women. Washington's letters show that he expected the wives of his overseers and other white employees to help supply provisions for his table and make Negro clothes. An agreement in 1762 between him and Edward Violett, an overseer, indicates that Violett's wife was tending a dairy, for which service Washington allowed her one fourth of the butter she made, and a letter to one of his managers some time later declared that he would insist that the overseer's wife attend a dairy and raise fowls for the table at "Mount Vernon." Again, about to engage a gardener, he wrote that if the man had a wife, she would be expected "to be a Spinner, dairy Woman, or something of that usefulness."[48] Charles Carroll, writing his son Charles Carroll of Carrollton regarding plantation affairs, declared he was well pleased with a new overseer because his wife was "a neat Housewifely woman," who would manage dairies and raise all sorts of fowls on all the plantations under her husband's care.[49] Newspaper advertisements for overseers and white gardeners often stated that the wives of these employees would be expected to take charge of dairies or poultry yards, and many notices show

[47] Sparks, Jared (ed.), *The Writings of George Washington*, XII, Appendix, p. 273; Conway, Moncure D., *Washington and Mount Vernon*, Appendix, pp. 336-339; Sparks, Jared, *Letters and Recollections of Washington*, pp. 219, 229, 243.

[48] Ford, W. C., *Washington as an Employer and Importer of Labor*, p. 31; Conway, *op. cit.*, p. 273; and Fitzpatrick, J. C. (ed.), *Diaries of George Washington*, III, 444-445.

[49] *Maryland Historical Magazine*, XIII, 73.

that single women were commonly employed for wages at this kind of plantation work.[50]

The colonial planter also had a considerable share in the responsibilities pertaining to domestic economy. A number of women, during the absence or at the death of their husbands, supervised all the plantation business as well as their household affairs. But generally the mistress had few cares beyond her immediate household, and the master took responsibility for many matters unthought of by most husbands today. The colonial gentleman, whose office was in the precincts of his home, had opportunity to direct the education of his children, the entertaining of guests, and the ordering of many household affairs. Though his wife probably informed him of the need of provisions and expressed her preferences in the matter of clothing and furnishings, he commonly kept all the household accounts and did the buying, giving careful attention to the selection of furniture, draperies, rugs, china, and silverware, as well as to the details of the whole family's wearing apparel. Furthermore, because perhaps of the inadequacy of his wife's education, as well as his own sense of domestic responsibility, he took care of the social as well as the business correspondence of the family, writing all notes of invitation, acceptance, and regret and the usual letters to absent friends and relatives.

Many letters of Washington illustrate the surprising amount of attention men occupied with extensive public and private business gave to the minutiae of household economy. He ordered from Europe the clothing of his wife and step-children, and it appears that he and not Mrs. Washington ordinarily bought the provisions and selected the furniture, carpets, wall paper, and other furnishings for "Mount Vernon." Even after he became President, he still found time to give minute directions for the remodelling of the Morris house, engaged for his Philadelphia residence, and to attend to the distribution of the rooms among

[50] The following are typical of many such notices:

"A Right good Overseer, having a Wife that can raise Poultry and manage a Dairy, may have Employment and Encouragement from
Andrew Rutledge." *(South Carolina Gazette,* August 4, 1740)

"A Dairy Woman who can also make negro clothes wants work." *(Ibid.,* September 12, 1774)

"Wanted,
A single Woman, to manage a Dairy and raise Poultry, to whom Perquisites equal to £100 a year will be given, by
Richard Park Stobo." *(Ibid.,* October 12, 1769).

his family, the selection of new furniture, the employment of additional servants, and other housekeeping arrangements that one might expect to have been left to his wife's supervision. His letters to Tobias Lear, his secretary, are filled with such details as the placing of furniture and ornaments, the color scheme of the curtains, the exchange of laundry equipment with Mrs. Morris, the choice of housekeeper and steward, the designing of servants' uniforms and caps, which washer-women to bring from "Mount Vernon," and whether the cook should or should not make the desserts and have a hand in planning the meals.[51]

Not much is known of the life of the less well-to-do. The wives of smaller farmers in the settled sections, like the matrons on larger plantations, doubtless were concerned largely with procuring supplies and serving food to their families. But, while they often had indentured servants and slaves, they did not have efficient housekeepers, skilled gardeners, and other paid white helpers to relieve them of the supervision of the various branches of housewifery. They did, however, often have the help of one or more kinswomen living in the home and of their daughters, whose few weeks of school each year interfered little with their household tasks. With the aid of these women in her family, and of her servants, the farmer's wife cared for her dairy and poultry yard and garden, cured meats, pickled and preserved, cleaned house, and prepared meals for the household.

Some of the more industrious of this class spun and wove materials, of which they made clothing for their children and servants and furnishings for their homes, and sometimes earned pin money selling their cloths. Brickell found the North Caro-

[51] *Letters and Recollections of George Washington being Letters to Tobias Lear*, pp. 3-5, 8-9, 11-12, 14, 19, 23, 25-26, 30, 33, 36, 40, 43-45, and *passim*. Benjamin Franklin, while on his mission to England before the Revolution, bought household furnishings, gowns, and accessories for his wife and daughter, and carefully wrote out instructions for the decoration and furnishing of their new home, which was being completed during his absence. Soon after his arrival in London in 1757, he sent his wife a crimson satin cloak "of the newest fashion" and his daughter a black silk with a scarlet feather, muff, and tippet and a box of fashionable linen for her dress. Among many articles sent later were sixteen yards of "flower'd tissue" for a gown, some "China Melons and Leaves for a Desert of Fruit and Cream," a "little Instrument to core Apples," another "to make little turnips out of great ones," and various materials for bed and window curtains. He informed his wife of the latest fashions and instructed her how to use the articles he sent. The diaper tablecloths, he wrote on one occasion, were to be spread on the tea table, for it was no longer the fashion to breakfast on the naked table, and the blue mohair stuff was for curtains for the "Blue Chamber." "The Fashion is to make one Curtain for each Window," he explained. Even more explicit were his instructions for decorating the blue room: "I would have you finish it as soon as you can thus. Paint the Wainscot a dead white; Paper the Walls blue, & tack the gilt Border round just above the Surbase and under the Cornish. If the Paper is not equal Coloured when pasted on, let it be brush'd over again with the same Colour: - and let the Papier machée musical Figures be tack'd to the middle of the Cieling." Smyth, Albert Henry (ed.), *Writings of Benjamin Franklin*, III, 379, 422, 424, 430, 432-434, 435, 439; IV, 359-360, 449-450; V, 33-34.

lina girls "bred to the Needle and Spinning" as well as to the dairy and other domestic affairs, which, he declared, they managed with a great deal of prudence. Many of the women, he observed, made a great deal of cloth of their own flax, wool, and cotton, and some were so ingenious that they made up all the wearing apparel for husband, sons, and daughters.[52] Governor Fauquier wrote in 1766 that the Virginia women spun the cotton of the country into a strong cloth of which they made gowns for themselves and children and coverlids for beds, and that sometimes they offered some of their cloths for sale in Williamsburg.[53]

The wives of tradesmen in the towns helped in their husbands' shops, which were usually in the home, and, with the aid of a few servants, cared for their children and housekeeping. Unlike the country housewives, they did not produce their food supplies, but bought them in local stores or on the streets. Newspaper advertisements show that grocery shops carried a variety of provisions. Fresh vegetables raised on nearby plantations or in local gardens were sold by slaves, who strode up and down the streets crying out their wares. Butter, eggs, chickens, vegetables, and sometimes jellies, pickles, and preserves were bought from farmers' wives. In the larger towns there were pastry and confectionery shops, which appear to have been very similar to the delicatessen shops of today. In 1728, a Mrs. Stagg of Williamsburg advertised in the *Virginia Gazette* "Hartshorn and Calvesfoot jellies fresh every Tuesday," besides many other prepared foods, including "mackaroons, Savoy biscuits and Barbadoes sweetmeats." Jane Stewart of Charles Town announced that she kept ready prepared beef and pork, "alamode and potted beef," and made tarts, cheesecakes, jellies, and similar articles "on the shortest notice."[54] The following from the *South Carolina Gazette,* April 11, 1769, is representative of several other notices:

ELINOR BOLTON

PASTRY-COOK, from LONDON

CONTINUES to make, when bespoke, at her house in Tradd-street . . . rich plumb cake iced, biscuit and seed ditto, jellies, syllybubs, and

[52] *Op. cit.,* p. 32.
[53] *William and Mary College Quarterly,* XXI, 170.
[54] *South Carolina Gazette and Country Journal,* March 26, 1771.

white custards in glasses, orange, lemon, and apple creams, orange pies, apple ditto with custard, orange, lemon, citron, and almond puddings, blomage, rice cups in custard, black caps, ditto, preserved oranges, orange and apple marmalate, tarts, and cheese cakes of all sorts, macaroons, ginger bread, nuts, &c.

For housewives who could afford such services, there were Negro laundresses, cooks, nurses, and chambermaids to be hired by the day, month, or year; tradeswomen to clean and mend their laces, fine linen, and silk hose, quilt their petticoats, stiffen and glaze their chintzes; seamstresses who would come into the home and sew by the day; and milliners and mantuamakers, who designed and made their best clothes.

It was the housewife in the back settlements who had to depend most upon her own labor and ingenuity. The frontiersman's remoteness from waterways and highways and his lack of a marketable staple crop prevented his trading much with the outside world and made it necessary for him and his wife to produce almost everything consumed in their household. With broadaxe and jackknife he made his cabin, furniture, and many of the farming implements and kitchen utensils; and with spinning wheel, loom, and dye-pots, she made all the clothing of the family, the household linen, blankets, quilts, coverlids, curtains, rugs, and other furnishings. She made her own soap and candles, and to a greater extent than the plantation mistress, had to be doctor and apothecary to her family. From the woods she gathered herbs and roots, from which she made various purges, emetics, syrups, cordials, and poultices.[55] She needed also to understand the use of firearms in order to be able to protect her home from wild beasts and Indians and to kill wild animals for food. Philip Ludwell wrote in 1710 of a well-to-do frontier woman who had entertained him and the other dividing line commissioners: "She is a very civil woman and shews nothing of ruggedness, or Immodesty in her carriage, yett she will carry a gunn in the woods and kill deer, turkeys, &c., shoot down wild

[55] Kercheval gives the "specifics" in general use in the Shenandoah Valley, which were probably common among other frontier inhabitants. For worms, the disease to which most children's troubles were attributed, a large dose of common salt, the scrapings of pewter spoons, or sulphate of iron was administered; and for the croup, the juice of onion or garlic was given. A poultice of Indian meal, scraped potatoes, or turnips was a common remedy for burns. Sweating, promoted by a strong decoction of snakeroot, was a treatment for fevers. For the itch, which was not at all uncommon, an ointment was made of brimstone and hog lard. Kercheval, Samuel. *A History of the Valley of Virginia*, fourth edition, pp. 272-275.

cattle, catch and tye hoggs, knock down beeves with an ax and perform the most manfull Exercises as well as most men in those parts."[56]

The food, clothing, and household comforts of frontier people varied greatly according to the wealth, energy, and skill of the master and mistress of the household. But generally houses were smaller, furniture and clothing more scanty and crude, and food less varied than in the more populous regions. The backwoods housewife, who had no skilled gardener and no greenhouse where she could raise vegetables out of season and who found it impossible to get the imported delicacies available to housewives near the coast, supplied her family with a diet which seemed plain and monotonous to refined visitors from older sections. Food in the back country consisted of pork, wild fowl, game, and Indian corn, supplemented in the more industrious families by beef, milk, butter, eggs, domestic fowl, and a few fruits and vegetables. The large consumption of pork was due to the ease with which it was produced. In many sections hogs roamed about through the woods, feeding on acorns and roots, and requiring no attention. Corn, which was raised in little patches near the cabins, was beaten in a hand mortar into coarse hominy or meal, which was sometimes boiled into a mush and sometimes baked on the hearth as a hoecake. Homemade beer, cider, and brandy were the drinks. William Eddis, who visited the western settlements in Maryland shortly before the Revolution, wrote that Indian corn beaten in a mortar and baked or boiled was the principal subsistence of the poorer inhabitants. When salt beef or bacon was added, he declared, no complaints were made respecting their fare.[57] Another visitor in the backwoods wrote: "The meaner Sort you find little else but Water amongst them, when their Cyder is spent, *Mush* and Milk, or Molasses, *Homine*, Wild Fowl, and Fish are their principal Diet."[58]

The backwoods women had the reputation of being more given to labor than their husbands. Lawson found them the "most

[56] "Boundary Line Proceedings, 1710," *Virginia Magazine*, V, 10.

[57] *Letters from America . . . , 1769 to 1777*, pp. 57-58.

[58] "Observations in Several Voyages and Travels in America," *William and Mary Quarterly*, XV, 146. The English officer, Thomas Anburey, who during the Revolution was stationed near Charlottesville in western Virginia, wrote that the inhabitants of that section, to supply the deficiency of vegetables, sometimes gathered the leaves of the poke plant, which they used as a substitute for spinach. In this back country he found only "poor entertainment," and complained of the food: "One is seldom able to procure any other fare than eggs and bacon, with Indian hoe cake . . . the only liquors are peach brandy and whiskey." *Travels*, pp. 340-341, 376.

industrious sex" in North Carolina.[59] William Byrd, writing of the outlying settlements in Virginia and Carolina, declared that the men, like the Indians, imposed all the work upon the women and were themselves "Sloathfull in everything but getting Children." The women, he observed, "all Spin, weave, and knit, whereby they make good Shift to cloath the whole Family; and to their credit be it recorded, many of them do it very completely."[60] John Oldmixon wrote of the Carolina women: "The ordinary Women take care of Cows, Hogs, and other small Cattle, make Butter and Cheese, spin Cotton and Flax, help to sow and reap Corn, wind Silk from the Worms, gather Fruit, and look after the House."[61] Brickell also found the wives of the poorer farmers "ready to assist their Husbands in any Servile Work, as planting when the Season of the Year requires expedition."[62]

The colonial housewife of tradition was a person of superhuman attainments, a composite of all the virtues and talents of women of every class and type. Actually, there were different kinds of housewives, whose occupations and achievements varied greatly according to their individual abilities and the circumstances of their lives. Superior women in frontier settlements were strong, daring, and self-reliant as well as skillful and industrious. With practically no help from the outside world, they fed, clothed, and physicked their large families, made their household furnishings, and on occasion even defended their homes. But they were not supposed to possess drawing-room accomplishments or to maintain the refined standards of living expected of matrons in town mansions and on large plantations. If they had few servants and no markets where they could buy their household necessaries, at the same time they were called upon to do very little entertaining and were expected to supply their families with only the simplest kind of food and clothes. Their houses were small and they had no costly china, silverware, and furniture to keep. Housewives in settled communities, on the other hand, were not expected to possess the physical

[59] Lawson, John, *History of Carolina*, p. 142.
[60] Bassett, John Spencer (ed.), *The Writings of Colonel William Byrd of Westover . . .*, pp. 75-76, 242.
[61] "British Empire," *Narratives of Early Carolina*, p. 372.
[62] *Op. cit.*, p. 32.

courage and strength necessary to protect their families from Indians and wild beasts or to suffer the hardships common to pioneers; and when they had the care of large and luxurious establishments, they had a great deal of assistance in the performance of their duties. The plantation mistress of the class to which Martha Washington and Eliza Pinckney belonged was often a person of easy and hospitable manners, industry, and housewifery skill. She directed a large household and entertained numerous guests. Without the aid of canned goods, refrigerator, or nearby markets, she loaded her table with a variety of foods prepared and served in the best taste of the time. She often doctored the sick of her household, sometimes making the medicines she administered, and occasionally, when trade with England was obstructed, she helped direct the making of clothing for her household. But she did not do all this single-handed. The coöperation of her husband, the efforts of women relatives living in the home, the skill of experienced hired housekeepers and expert gardeners, and the labor of many servants and slaves—all these went into the accomplishments with which she alone has often been credited.

A BIBLIOGRAPHY OF NORTH CAROLINA IMPRINTS, 1761-1800

By Douglas Crawford McMurtrie

I

This list of books and pamphlets printed in North Carolina during the eighteenth century is a continuation of a bibliography of the issues of the press of the colony during its first twelve years of existence (1749-1760) which appeared in *The North Carolina Historical Review* for July, 1933. The list, the first installment of which is here presented, starts with the year 1761, with the titles numbered consecutively with those already published.

As pointed out in my previous contribution, much excellent work on North Carolina bibliography was done by the late Stephen B. Weeks. A list of imprints was appended to his *The Press of North Carolina in the Eighteenth Century* and a supplement to this list was included in his "Libraries and Literature in North Carolina in the Eighteenth Century," which was published in the *Annual Report of the American Historical Association for 1895*, pp. 171-267. In these two contributions, Weeks recorded 113 titles for the period here covered, 68 of which were located. In the present bibliography are 242 titles, 188 of which are located.

Charles Evans, in his *American Bibliography*, listed all the North Carolina titles which came to his attention. Since he did not have the opportunity of doing intensive work in this field, the number of North Carolina titles in his monumental work are comparatively few.

In any bibliography dealing with material of historical interest, the location of titles is all-important. Every effort has been made, therefore, to locate copies of the books and pamphlets known to have been printed in North Carolina earlier than 1801, and some degree of success has attended this effort, as will appear from the figures already given.

There are unfortunate breaks in the colonial session laws, for those of but five sessions between 1760 and 1775 are found in contemporary printed form. It is likely that the laws for the missing years were printed at the time, but that copies were not preserved.

The original printed journals for only two sessions during this

period have been found, though those for a number of other sessions are known to have been printed.

For the period of statehood, copies of session laws for all sessions have been found and recorded. For a little over half of these sessions, printed legislative journals have been located, though many of those for the missing sessions must have been printed.

The subjoined tables of the eighteenth century legislative sessions of both colony and State during the period here dealt with show (by an x) those for which printed journals and session laws have been found.

COLONIAL PERIOD

SESSION AND DATES OF SITTING		JOURNALS		LAWS	
		COLONIAL RECORDS		COLONIAL RECORDS	
4th	1760:Nov. 7—Dec. 3	6: 469–511		23: 523–538; 25: 450–456	
5th	1760:Dec. 5—Dec. 6	6: 513–520		*No laws*	
1st	1761:Mar. 31—Apr. 23	6: 661–697		23: 539–549; 25: 457–467	
1st	1762:Apr. 13—Apr. 29	6: 800–837	X	*No laws*	
1st	1762:Nov. 3—Dec. 11	6: 893–965		23: 550–595; 25: 468–482	X
1st	1764:Feb. 3—Mar. 10	6:1150–1218		23: 596–631; 25: 483–485	*
2nd	1764:Oct. 25—Nov. 28	6:1257–1318		23: 632–659; 25: 486–490	†
3rd	1765:May 3—May 18	7: 61–88		23: 660–663	X
1st	1766:Nov. 3—Dec. 2	7: 342–423		23: 664–687; 25: 494–509	X
2nd	1767:Dec. 5— 1768:Jan. 16	7:565–594; 624–670		23: 688–758; 25: 510–513	
3rd	1768:Nov. 7—Dec. 5	7: 924–986		23: 759–783; 25: 514–517	
1st	1769:Oct. 23—Nov. 6	8: 105–141		23: 784–786; 25: 518–519	
1st	1770:Dec. 5— 1771:Jan. 26	8:302–346; 385–479	X	23: 787–849; 25:519*a*–519*f*	
2nd	1771:Nov. 19—Dec. 23	9: 136–225		23: 850–871; 25: 520–522	
1st	1773:Jan. 25—Mar. 6	9: 447–591		23: 872–930	
1st	1773:Dec. 4—Dec. 21	9: 773–788		*No laws*	
2nd	1774:Mar. 2—Mar. 25	9: 874–953		23: 931–976	X
	1775:Apr. 4—Apr. 6	9:1187–1205		*No laws*	

*The laws of this session seem to have been printed only in Davis's *Collection of All the Acts of Assembly*, 1764, pp. 309-386.

†The laws of this session were printed separately both by Davis and by Andrew Steuart.

AFTER STATEHOOD

SESSION AND DATES OF SITTING		JOURNALS			LAWS
		STATE RECORDS	H	S	
1	1777:Apr. 8—May 9	12: 1–113			X
2	1777:Nov. 15—Dec. 24	12: 265–452			X
1	1778:Apr. 14—May 1?	12: 665–764	X		X
2	1778:Aug. 8—Aug. 19	12: 816–879	X		X
3	1779:Jan. 19—Feb. 12?	13: 625–734			X
1	1779:May 3—May 15	13: 784–824;			
		18: 803–825	X		X
2	1779:Oct. 18—Nov. 10?	13: 913–1000			X
1	1780:Apr. 17—May 10?	MS*			X
2	1780:Sep. 5—Sep. 13?	MS*			X
3	1781:Jan. 18—Feb. 14	H 17: 715–793*			
		S 635–714			X
1	1781:June 23—July 14	S 17: 794–876†			
		H : 877–978‡			X
1	1782:Apr. 13—May 12	S 19: 1–128			
		H 16: 1–177*			X
1	1783:Apr. 18—May 17	S 19: 129–232			
		H 233–368‡	X		X
1	1784:Apr. 19—June 3	S			
		H 19: 489–716	X	X	X
1	1784:Oct. 22—Nov. 26	S 19: 400–488			
		H 717–836‡			X
1	1785:Nov. 19—Dec. 29	S			
		H 17: 264–426*	X	X	X
1	1786:Nov. 18—				
	1787: Jan. 6				
1	1787:Nov. 19—Dec. 22*				
1	1788:Nov. 3—Dec. 6				
1	1789:Nov. 2—Dec. 22				
1	1790:Nov. 1—Dec. 15				
1	1791:Dec. 5—				
	1792: Jan. 20				
1	1792:Nov. 15—				
	1793: Jan. 1				
1	1793:Dec. 2—				
	1794:Jan. 11				
2	1794:July 7—July 19*				
1	1794:Dec. 30—				
	1795:Feb. 7				
1	1795:Nov. 2—Dec. 9				
1	1796:Nov. 21—Dec. 24?				
1	1797:Nov. 20—Dec. 23				
1	1798:Nov. 19—Dec. 29?				
1	1799:Nov. 18—Dec. 23				
1	1800:Nov. 17—Dec. 20				

Of all the sessions following 1785, printed journals of both senate and house, and printed session laws, are recorded in the bibliography.

*Recorded as "MS, State Archives" in "Colonial Assemblies and Their Journals," *American Historical Association Annual Report for 1897*, pp. 440-441.

†Incomplete.

‡Recorded as "Journal wanting" in "Colonial Assemblies and their Journals," *loc. cit.*

Many more unlocated titles could have been added to this bibliography, had it been decided to include titles for journals and session laws now missing.

Titles of the following have been included, although no printed copies of them have been found:

Laws, November-December 1760 (Weeks 22)
Journal, November-December 1762 (Weeks 24)
Journal, February-March 1764 (Weeks 27)
Journal, May 1765 (Weeks 30)

On the other hand, a long series of laws and journals, which Weeks does not happen to mention, have *not* been included:

Colonial Period

Journal, November-December 1760 (Weeks 22 records the Laws only)
Journal and Laws, April 1761
Laws, April 1762 (printed Journal is located)
Journal, October-November 1764 (printed Laws located)
Journal, November 1766 (printed Laws located)
Journal and Laws, December 1767-January 1768
November-December 1768
October-November 1769
Laws, December 1770-January 1771 (printed Journal located)
Journal and Laws, November-December 1771
January-March 1773
December 1773
Journal, March 1774 (printed Laws located)
Journal and Laws, April 1775 (4-day session—perhaps there were none)

Period of Statehood (Laws of all sessions located)

Journals, April-May 1777
November-December 1777
Senate Journal, April 1778 (printed House journal located)
Senate Journal, August 1778 (printed House journal located)
Journals, January-February 1779
Senate Journal, May 1779 (printed House journal located)
Journals, October-November 1779
April-May 1780 ("MS, State Archives")
September 1780 ("MS, State Archives")
January-February 1781 ("MS, State Archives")
June-July 1781 ("Wanting")
April-May 1782 ("MS, State Archives")
Senate Journal, April-May 1783 (printed House Journal located)
Journals, October-November 1784 ("Wanting")

Although titles for the above have not been included in the bibliography, there is clear evidence that many of them were printed and a reasonable presumption that most, if not all of them, were issued in printed form. For instance, though some of the printed journals of the general assembly for the years 1778-1780 cannot now be found, we have a long memorial of Davis to the assembly in 1780 on the difficulties of the printer's work under war conditions, in which he says "He now begs leave to acquaint the general assembly that he has served them two years [since his last appointment in April, 1778]; has printed and published the Laws and Journals of four Sessions . . . and has not received more than 20 or 30 pounds of real value. . . ."[1]

As was the case with the previously published list, many of the most important imprints of the colonial period here described for the first time were found in the Public Record Office, London, that rich storehouse of materials for American pre-Revolutionary history. Those printed documents relating to North Carolina Revolutionary activities will be found of special interest.

This bibliography has been in active preparation for over two years. During that period I have drawn heavily on friends and correspondents for information and aid. Without their generous coöperation it would have been impossible to bring the list to its present stage of completeness. My obligations are, therefore, numerous and extensive.

From two sources came important contributions to this bibliography. Miss Mary Thornton, in charge of the North Carolina collection of the University of North Carolina Library, generously placed at my disposal her own notes regarding North Carolina imprints not listed by Weeks, provided full descriptions of the imprints in the fine collection under her charge (an impressive number of which are not to be found elsewhere), and answered innumerable questions regarding bibliographical details. I wish to assure her of my gratitude for her competent and willing aid.

Professor Eldon R. James, librarian of the Harvard Law School, authorized me to have made, for the library under his able direction, complete photostats of all North Carolina session

[1] *The State Records of North Carolina*, XV, 224.

laws which were not represented by originals in that collection. These photostats, made from originals in the Public Record Office and in the University of North Carolina Library, passed through my hands and thus afforded me opportunity of writing descriptions of them at first hand. A reciprocal advantage is that the Harvard Law School now has available in original or photostat every North Carolina session law extant, either at home or abroad. I am highly appreciative of this intelligent coöperation by Professor James.

To Mr. F. O. Poole of the Association of the Bar of the City of New York and to Mr. John T. Vance, law librarian of the Library of Congress, I am indebted for answers to inquiries regarding North Carolina legal material.

Mr. V. Valta Parma, curator of rare books at the Library of Congress, rendered highly appreciated aid toward the listing of legislative journals and other North Carolina imprints under his charge. Mr. L. Nelson Nichols of the New York Public Library courteously placed at my disposal the North Carolina titles in the notable imprint catalogue maintained by that institution and answered many questions regarding bibliographical minutiae. Mr. Willard O. Waters of the Henry E. Huntington Library furnished information regarding North Carolina titles in that great collection, for which I am grateful.

Mr. R. W. G. Vail, librarian of the American Antiquarian Society, rendered a uniquely valuable service to this bibliography by personally going through the files of North Carolina newspapers in the society's library and providing me with notes of contemporary advertisements of books and pamphlets published and offered for sale. And the compiler personally examined, for such advertisements, North Carolina newspaper files in several other important collections.

Mr. Bruce Cotten of Baltimore, whose private library contains a noteworthy collection of early North Carolina imprints, was unfailingly generous with information and provided descriptions of four titles of which he seems to have the only known copies. Mr. Lawrence C. Wroth, librarian of the John Carter Brown

Library, contributed three otherwise unknown titles from the treasure house of colonial historical material over which he presides.

From librarians in North Carolina I received interested cooperation which resulted in bringing to light numerous titles heretofore unknown. I am particularly under obligation to Miss Philena A. Dickey of the Sondley Reference Library, Asheville, to Miss Anne Pierce of the Charlotte Public Library, to Mrs. Ethel Taylor Crittenden, librarian at Wake Forest College, and to Mr. J. P. Breedlove, librarian of Duke University, as well as to Mr. E. Morrell and Miss Ruth A. Ketring, of the staff of that library.

Throughout the course of the work Mr. George A. Schwegmann, Jr., has kindly checked for me in the Union Catalog of the Library of Congress, many North Carolina titles submitted to him. This appreciated service disclosed a number of additional locations.

I am grateful to Mr. D. L. Corbitt, managing editor, for checking certain titles in the Supreme Court Library, and for interested coöperation in seeing this bibliography through the press.

Finally, I wish to express my sincere appreciation to my associate, Mr. Albert H. Allen, for his competent and painstaking assistance on the details of this bibliography.

It may be added that I shall appreciate note of any additional titles which may come to light or of additional locations of the imprints here recorded.

NORTH CAROLINA BIBLIOGRAPHY

Smith, Michael.

[A] | Sermon, | Preached in | Christ-Church, in Newbern, | in | North-Carolina, | December the 27th, 1755, Æra of | Masonry, 5755, | Before | The Ancient and Honourable Society | of | Free and Accepted Masons. | [*Rule*] | Published at the Request of the Master, War-|dens, and Brethren of the Lodge. | [*Rule*] | By Michael Smith, A.B. | [*Rule*] | Newbern: | Printed by James Davis, M,DCC,LVI. [21]

9.5 x 15 cm. 19 p.

Pennsylvania Historical Society, Philadelphia, Pa. (top of title page trimmed off).

STEWART, ALEXANDER.

The | Validity | of | Infant | Baptism. | [*Rule*] | By A. Stewart, A.M. Minister of | Beaufort County, North-Carolina. | [*Rule*] | [*Double rule*] | Newbern: | Printed by James Davis. | [*Short rule*] | M,DCC,-LVIII. [29]

9.5 x 16 cm. 40 p.

"In 1759, Rev. Alexander Stewart, then pastor of St. Thomas's Parish, Bath, compiled 'a small tract collected from the best authors I could here find' in defense of baptism as practiced by the Established Church. This was printed and 400 copies were distributed through the province. It was aimed at the Baptists, who were then growing, and 'for some time checked their proceedings.'" *(Colonial Records,* VI, 316, cited by Weeks 1896, p. 252.)

Sabin 91624.

Harvard College Library, Cambridge, Mass.

1761

CAMP.

[Sermon preached before the General Assembly on April 12, 1761, by the Rev. Mr. Camp, Newbern: Printed by James Davis, 1761.] [35]

Title from Weeks no. 23, who cites *Colonial Records,* VI, 684, 688, and 823. On Monday, April 13, 1761, the lower house of the assembly "Ordered Mr. Sampson and Mr. Harnett, wait on the Reverend Mr. Camp, and return him the thanks of this House, for his Sermon Preached before them Yesterday, and request a Copy thereof, that this House may direct the same to be printed." On April 24, 1762, Davis petitioned the house that he be allowed pay "for printing and dispersing four Hundred Copies of the Reverend Mr. Camp's Sermons, which he has done by order of the Assembly." The petition was referred to the Committee of Claims, and existing records do not disclose what became of it.

NORTH CAROLINA (COLONY). LAWS, STATUTES, ETC.

[Acts passed by the General Assembly during the session of November and December, 1760. Newbern: James Davis, 1761.] [36]

Weeks no. 22.

These session laws were undoubtedly printed, though no copy can now be found. There are no laws for this session in the set sent to the Board of Trade by Governor Dobbs in February, 1761, referred to in the note to Weeks no. 10. The session of June, 1860, is the last represented in this set, now in the Public Record Office.

1762

Nicholson, Thomas.

[*2 rules*] | An Epistle | to | Friends in Great Britain, | To whom is the Salutation of my Love, in the | unchangeable Truth. | [Newbern: James Davis ? 1762.] [37]

13 x 20 cm. 4 p.
Caption title; no imprint. Signed and dated at end: Thomas Nicholson. | Little River in North | Carolina, the 15th | of the Ninth Month | 1762.
Sabin 55234.
New York Public Library. British Museum, London, England.

North Carolina (Colony). House of Assembly.

[*Row of type ornaments*] | The | Journal | of the | House of Assembly. | [*Row of type ornaments*] | North-Carolina, ss. | At an Assembly, begun and held at Wilmington, the | Thirteenth Day of April, One Thousand Seven Hundred and | Sixty-two; and in the Second Year of the Reign of our So-|vereign Lord George the Third, by the Grace of God, | of Great-Britain, France, and Ireland, King, Defender of the | Faith, &c. Being the First Meeting of this present Assembly. | [*Rule*] | [Newbern: James Davis, 1762.] [38]

19 x 26 cm. 28 p.
Caption title; no imprint.
See *Colonial Records*, VI, 965, 967, Governor Dobbs to Lord Egremont, February 23, 1763, and to the Board of Trade, same date, referring to the "printed journal herewith sent" in duplication of copies sent "the 30th of April last."
Public Record Office, London, England (C.O. 5/310).

North Carolina (Colony). House of Assembly.

[The Journal of the House of Assembly. North Carolina. At an Assembly, begun and held at Wilmington, the third day of November, One Thousand Seven Hundred and Sixty-two; and in the Second Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. Being the Second Meeting of the present Assembly. Newbern: James Davis, 1762.] [39]

Title, following the form of the title of the house journal of the session of April, 1762, based on Weeks no. 24, who cites *Colonial Records*, VI, 962. On December 11, 1762, the house "Resolved that James Davis Printer do print the Laws passed this Session and the Journals of this Assembly, . . . and that he be paid by the public Treasurer for the same the sum of Two Hundred pounds proc Money, . . ." On receiving this resolution, the council replied ". . . We think the Sum much too great for the service he is to per-

form and cannot agree thereto, . . ." and proposed "to continue the Act Appointing him Printer for six Months longer." In this the house would not concur, and before the matter was settled the governor prorogued the assembly.

NORTH CAROLINA (COLONY). LAWS, STATUTES, ETC.

[*Headband of type ornaments*] | Anno Regni | Georgii III, | Regis, Magnæ Britanniæ, Franciæ, & Hiberniæ, | Tertio. | [*Rule*] | At an Assembly, begun and held at Newbern, the Third | Day of November, in the Third Year of the Reign of our Sove-|reign Lord George the Third, by the Grace of God, of | Great-Britain, France, and Ireland, King, &c. and in the Year | of our Lord One Thousand Seven Hundred and Sixty-two, be-|ing the First Session of this present Assembly. | [*Rule*] | [Newbern: Printed by James Davis, 1762.] [40]

19.5 x 26 cm. 28+p.

Caption title on p. 1; no imprint. Running head between rules at top of page: Laws of North-Carolina. In right margin below running head and above headband: A.D. 1762 (over a brace). Also in right margin, opposite the line "At an Assembly . . .": Arth. Dobbs, | Esq; Governor.

See *Colonial Records*, VI, 962, quoted in note on the preceding title. Weeks no. 24 (not located).

University of North Carolina, Chapel Hill, N. C. (lacking all after p. 28).

1763

NORTH CAROLINA (COLONY). LAWS, STATUTES, ETC.

[An Act for the More Effectual Observing of the Queen's Peace and Establishing a Good and Lasting Foundation of Government in North Carolina. Newbern: Printed by James Davis, 1763.] [41]

Ordered to be printed by the Governor and Council April 22, 1763, according to *Colonial Records*, VI, 1013, cited by Weeks, no. 26. The printer was to "Print as many Copys of the said Act as he has printed or shall print of the laws passed last session of Assembly, and he shall Transmit a Copy of the said Act with each Copy of the said late Laws, for which service he shall be allowed a Claim on the Publick."

REID, JAMES.

[Sermon Recommending the Establishing Public Schools for the Education of Youth, preached before the General Assembly in November, 1762, by Rev. James Reid. Newbern: Printed by James Davis, 1763.] [42]

Mr. Reid was "desired to furnish the Printer with a copy thereof, in order that the same may be printed and dispersed in the several counties within this Province" according to *Colonial Records*, VI, 955. Weeks (no. 25) suggests that this was perhaps the earliest tractate on education printed in the Province.

1764

North Carolina (Colony). House of Assembly.

[The Journal of the House of Assembly. North Carolina, ss. At an Assembly, begun and held at Wilmington, the thirtieth day of January, One Thousand Seven Hundred and Sixty-four; and in the Fourth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. Being the Second Meeting of the present Assembly. Newbern: James Davis, 1764.] [43]

Title, in the form of titles of earlier house journals, based on Weeks nos. 27 and 28, who cites *Colonial Records*, VII, 334.

North Carolina (Colony). Laws, Statutes, etc.

Anno Regni | Georgii III. Regis | Magnæ Britanniæ, Franciæ, & Hiberniæ, | Quinto. | At an Assembly begun and held at Wilmington, the Third Day of | February, in the Fourth Year of the Reign of our Sovereign Lord George | the Third, by the Grace of God, of Great-Britain, France and Ireland, | King, Defender of the Faith, &c. and in the Year of our Lord, One Thousand, | Seven Hundred and Sixty-four; and from thence continued, by Prorogations, to | the Twenty-fifth Day of October, in the Fifth Year of the Reign of our said | Sovereign Lord George the Third, &c. and in the Year of our Lord, One | Thousand, Seven Hundred and Sixty-four, to be then held at Wilmington, | Being the Second Session of this present Assembly; | The following Laws were Enacted. | [*2 rules*] | [*Royal arms*] | [*3 rules*] | Wilmington: | Printed by Andrew Steuart, (by Virtue of His Majesty's Royal Com-|mission to him granted, bearing Date November 27, 1764.) [44]

19 x 32 cm. [2], 22+ p.

The first and possibly the only official printing done by Steuart during his brief tenure of office, under appointment by Governor Dobbs, as "King's Printer" in North Carolina. The assembly appointed James Davis printer and forbade the payment of any money to Steuart beyond £100 in North Carolina currency to reimburse him for his trouble in coming to the province.

Weeks no. 27 (not located).

University of North Carolina, Chapel Hill, N. C. (lacks all after p. 22).

North Carolina (Colony). Laws, Statutes, etc.

A | Collection | of all the | Acts of Assembly, | of | The Province of | North-Carolina, | In Force and Use, | Since the Revisal of the Laws in the Year 1751. | Together with the Titles of all such Laws as are | Obsolete, had their Effect, Expir'd or Repealed. | With an exact Table. |

To which is prefixed, | A List of the Names of those Gentlemen who subscribed | for the Book. | [*Rule*] | [*2 groups of type ornaments*] | [*Rule*] | Newbern: | Printed by James Davis, M,DCC,LXIV. [45]

18 x 24.5 cm. [1], 386, [4] p.

Contains (p. 309-386) the laws of the sessions of 1764, which do not appear to have been printed separately except for the laws of the session of October-November, 1764, which were printed by Andrew Steuart (No. 44, above).

This collection was the work of James Davis and is commonly referred to as Davis's First Revisal.

Weeks no. 29 (collated but not located). Sabin 55601.

New York Public Library. Supreme Court Library, Raleigh, N. C. University of North Carolina, Chapel Hill, N. C. Association of the Bar, New York City. New York Historical Society, New York City.

1765

MOORE, MAURICE.

Justi[ce and Policy] | of Taxing | The American Colonies, | In Great-Britain, considered: | Wherein is shewed, | That the Colonists are not a conquered People:—That | they are constitutionally intituled to be taxed only by their | own Consent:—And that the imposing a Stamp-Duty | on the Colonists is as impolitic as it is inconsistant with | their Rights. | Non sibi sed patriæ. | By Maurice Moore, Esquire. | Wilmington, [North-Carolina] | Printed by Andrew Steuart, and sold at his Office, near | the Exchange. M,DCC,LXV. [46]

10 x 16.5 cm. 16 p.

Reprinted in *North Carolina University Magazine*, v. 1, 1852, p. 71-77 and 85-87. And see William K. Boyd, *Some Eighteenth Century Tracts Concerning North Carolina* (Raleigh, 1927), p. 159-174 (with reproduction of the title page on p. 163.)

Weeks no. 32 (not located) mentions the reprint of 1852 and says that a copy of the original "was in possession of the N. C. Historical Society at the time of republication, but, like other property of that society, has since disappeared.

Evans 10076.

University of North Carolina, Chapel Hill, N. C. (upper part of title page torn off). *John Carter Brown Library, Providence, R. I.*

NORTH CAROLINA (COLONY). HOUSE OF ASSEMBLY.

[The Journal of the House of Assembly. North Carolina. At an Assembly, begun and held at Wilmington, the third day of February, in the fourth year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the Faith, &c. and in the Year of our Lord One Thousand Seven Hundred and Sixty-Four; and from thence continued, by several

Prorogations, to the Third Day of May, in the Fifth Year of the Reign of our said Sovereign Lord George the Third, &c. and in the Year of our Lord One Thousand Seven Hundred and Sixty-Five; to be then held at Newbern; being the Third Session of this present Assembly. Newbern: Printed by James Davis, 1765.] [47]

Title, in the form of titles of earlier house journals, based on Weeks no. 30, who cites *Colonial Records*, VII, 59, 64, 86.

On March 16, 1765, the house adopted a resolution that ten pounds be paid to William Godfrey for "Transmitting a copy of the Laws of last session of Assembly from Wilmington to James Davis, Printer in Newbern." (*Colonial Records*, VII, 58, 85.)

On May 6, 1765, "Mr. Montfort moved that the Clerk furnish James Davis, Printer, with a Copy of the Journal of the House daily, and that he acquaint the said James Davis the House direct him to print & dispense the Copys so printed to each Member of the House." (*Colonial Records*, VII, 64.)

North Carolina (Colony). Laws, Statutes, etc.

[*Headband of type ornaments*] | Anno Regni | Georgii III, | Regis, Magnæ Britanniæ, Franciæ, & Hiberniæ, | Quinto. | [*Rule*] | At an Assembly begun and held at Wilmington, | the Third Day of February, in the Fourth Year of the | Reign of our Sovereign Lord George the Third, by the | Grace of God, of Great-Britain, France, and Ireland, | King, Defender of the Faith, &c. and in the Year of our | Lord One Thousand Seven Hundred and Sixty-four; and | from thence continued, by several Prorogations, to the Third | Day of May, in the Fifth Year of the Reign of our said | Sovereign Lord George the Third, &c. and in the | Year of our Lord One Thousand Seven Hundred and Sixty-|five; to be then held at Newbern: Being the Third Session of this present Assembly. | [*Rule*] | [Newbern: Printed by James Davis, 1765.] [48]

19.5 x 26.5 cm. Pages 387-393.

Caption title on p. 387; no imprint. Running head between rules at top of page: Laws of North-Carolina. In right margin, below running head and above headband: A. D. 1765 (over a brace). Also in right margin, opposite the line "At an Assembly . . .": Wil. Tryon, | Esq; Lieutenant | Governor.

At end, p. 393: "Read Three Times, and Ratified in open Assembly, the 18th Day of May, A. D. 1765."

A printed copy of the laws of May 18, 1765, in the Fulham Palace Library, London, is noted by Charles M. Andrews and Frances E. Davenport, *Guide to the Manuscript Materials for the History of the United States to 1783, in . . . London Archives . . .* (Washington, 1808), p. 321.

Weeks no. 30 (not located). Evans 10107 (from Weeks).

University of North Carolina, Chapel Hill, N. C.

NORTH CAROLINA (COLONY). LAWS, STATUTES, ETC.

A | Collection | of All the | Acts of Assembly, | of the Province of | North Carolina, | Now in Force and Use. | Together | with the Titles of all such Laws as are | Obsolete, Expired or Repealed. | In two Volumes. | With | Marginal Notes and References, and an exact Table | to the Whole. | [*Rule*] | Volume I. | [*Rule*] | Newbern: | Printed by James Davis, Printer to the Honourable the Commons | House of Assembly. M DCC LXV. [49]

19.5 x 24 cm. Two vols. in one. Vol. I, xvi, 176 p.; Vol. II, 393 p. and [21] p. index.
Weeks no. 31.

Association of the Bar, New York City. Supreme Court Library, Raleigh, N. C. University of North Carolina, Chapel Hill, N. C. New York Public Library. British Museum, London, England.

1766

NORTH CAROLINA (COLONY). LAWS, STATUTES, ETC.

[*Headband of type ornaments*] | Anno Regni | Georgii III, | Regis, | Magnæ Britanniæ, Franciæ, & Hiberniæ, | Septimo. | [*Rule*] | At an Assembly begun and held at Newbern, the | Third Day of November, in the Seventh Year of the Reign | of our Sovereign Lord George the Third, by the | Grace of God, of Great-Britain, France, and Ireland, | King, Defender of the Faith, &c. and in the Year of our | Lord, One Thousand Seven Hundred and Sixty Six: Being | the First Session of this present Assembly. | [*Rule*] | [Newbern: James Davis, 1766.] [50]

21.5 x 28 cm. p. 395-438.
Caption title on p. 395. No imprint. Acts ratified December 1, 1766. On p. 415 (Chap. XIII) is An Act, for appointing a Printer to this Province.

University of North Carolina, Chapel Hill, N. C. Association of the Bar, New York City (bound with Vol. II of the *Collection* of 1765).

1767

NORTH CAROLINA (COLONY). COUNCIL.

To | His Excellency | William Tryon, Esq; | His Majesty's Captain-General, and Gover-|nor in Chief, in and over the Province of | North-Carolina; | the humble | Address | of his Majesty's | Council. | [Newbern: James Davis, 1767.] [51]

19 x 32 cm. Broadside.
No imprint.

Public Record Office, London, England (C.O. 5/311, f. 153).

North Carolina (Colony). Governor (William Tryon).

The | Speech | of his Excellency | William Tryon, Esq; | His Majesty's Captain-General, and Gover-|nor in Chief, in and over the Province of | North-Carolina; | To the General Assembly, held at Newbern, the | Fifth Day of December, One Thousand Seven Hundred and Sixty-seven. | [Newbern: James Davis, 1767.] [52]

19 x 32 cm. 3 p.
Caption title; no imprint.
Public Record Office, London, England (C.O. 5/311, f. 149-151).

North Carolina (Colony). House of Assembly.

To | his Excellency | William Tryon, Esq; | His Majesty's Captain-General, and Gover-|nor in Chief, in and over the Province of | North-Carolina; | the humble | Address | of the | House of Assembly. | [*Row of type ornaments*] | [Newbern: James Davis, 1767.] [53]

19 x 31 cm. 2 p.
Caption title; no imprint.
The Public Record Office copy has the MS endorsement: "Address of the Assembly of No. Carolina, to the Governor. In his Letter (No. 17) of 11. Decemr. 1767."
Public Record Office, London, England (C.O. 5/311, f. 155).

1768

Micklejohn, George.

On the Important Duty of Subjection to the | Civil Powers. | A | Sermon | Preached before his Excellency | William Tryon, Esquire, | Governor, and Commander in Chief of the | Province of North-Carolina, | and the | Troops raised to quell the late | Insurrection, | at | Hillsborough, in Orange County, | on Sunday September 25, 1768. | [*Rule*] | By Geo. Micklejohn, S.T.D. | [*Rule*] | Newbern: | Printed by James Davis, | [*Rule*] | M,DCC,LXVIII. [54]

14 x 18 cm. 15 p.
A loyalist's denunciation of the "Regulators" in North Carolina, based on the text "The powers that be are ordained of God." (Romans, xiii, 1-2.) On November 18, 1768, in a message to the Assembly, Governor Tryon said: "By the particular request of the Reverend Mr. Micklejohn, I desire leave in his behalf to present your House with one hundred copies of a sermon preached before the Troops at Hillsborough. The merit and beneficial tendency of this admirable discourse, gave general satisfaction to all who heard it delivered; a testimony it will undoubtedly receive from everyone who reads [it] with attention." (*Colonial Records*, VII, 939.) On December 3, acting on a recommendation from the Upper House, the House of Assembly agreed "that the Treasurers pay the expense of printing the sermon . . . sent to this House by His Excellency the Governor this

On the important Duty of SUBJECTION to the CIVIL POWERS.

A

SERMON

Preached before his EXCELLENCY

WILLIAM TRYON, Esquire,
GOVERNOR, and Commander in Chief of the Province of NORTH-CAROLINA,

AND THE

TROOPS raised to quell the late

INSURRECTION,

AT

HILLSBOROUGH, in ORANGE County,

On SUNDAY *September* 25, 1768.

By GEO. MICKLEJOHN, S. T. D.

NEWBERN:

Printed by JAMES DAVIS,

M,DCC,LXVIII.

session," and two days later the House addressed the governor, acknowledging the receipt of his message and the hundred copies of the sermon and notifying him that they had "Resolved that the Expense of printing the said Sermon be paid by the public." (*Colonial Records*, VII, 919-920, 939, 976, 983.) On March 20, 1769, Governor Tryon sent a copy of the sermon with a letter to Rev. Daniel Burton, secretary of the Society for the Propagation of the Gospel, in London. (*Colonial Records*, VIII, 15.)

Evans 10977 (not located). Weeks no. 33 (not located) knew of this only from the *Colonial Records;* **Weeks 1896, p. 262, had the** correct title, from *North Carolina University Magazine*, v. 4, 1855, p. 251.

See Boyd, *Some Eighteenth Century Tracts Concerning North Carolina*, p. 395-412, with reproduction of title page on p. 397.

North Carolina Historical Commission, Raleigh, N. C. Library of Congress, Washington, D. C.

North Carolina (Colony). Governor (William Tryon).

North-Carolina, ss. | George the Third, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of | the Faith, &c. | A Proclamation. | [*12 lines*] | William Tryon. | By His Excellency's Command, | Benj. Heron, Secretary. | God Save the King. | [Newbern: James Davis, 1768.] [55]

35 x 30 cm. Broadside.

No imprint.

Enjoining public officers to post tables of fees and accept no more than the authorized fees for services to the public. Dated at Brunswick, July 21, 1768.

Public Record Office, London, England (C.O. 5/312, No. 24).

North Carolina (Colony). Governor (William Tryon).

The | Speech | of his Excellency | William Tryon, Esquire, | His Majesty's Captain General, Governor, and Commander in Chief, in | and over the Province of North-Carolina; | To the General Assembly, met at Newbern, the 23d Day of October, | One Thousand Seven Hundred and Sixty-Nine. | [Newbern: James Davis, 1769.] [56]

19 x 26 cm. 3 p.

Caption title; no imprint.

Public Record Office, London, England (C.O. 5/313, f. 15-17).

1770

[Husbands, Hermon]

An Impartial | Relation | of the | First Rise and Cause | of the | Recent Differences, | in | Publick Affairs, | In the Province of North-Ca-| rolina; and of the past Tu-|mults and Riots that lately | happened in

that Province. | Containing most of the true and genuine | Copies of Letters, Messages and Remonstrances, | between the Parties contending: —By which | any impartial Man may easily gather and see | the true Ground and Reasons of the dissatisfaction | that universally reigns all over said Province in | a more or less Degree. | [*2 rules*] | Printed for the Compiler, [Newbern ?] 1770. [57]

9 x 15.5 cm. 104 p.

No imprint to show place or printer. It is by no means certain that this was printed in North Carolina, but Husbands, to whose authorship this tract is generally ascribed, was a resident of that province until after May, 1771. On the other hand, his activities with the Regulators, for which he was later expelled from the House of Assembly in December, 1770, and involved in many other difficulties, may have made it impossible for him to get James Davis, the province's official printer, to do this work even anonymously.

Husbands' name appears in contemporary records in a variety of spellings, but the most common form seems to be "Hermon," and this has been adopted in the index of the *Colonial Records*. The surname also is sometimes written "Husband."

See Boyd, *Some Eighteenth Century Tracts Concerning North Carolina*, p. 249-333, with reproduction of the title page on p. 251.

Evans 11689.

John Carter Brown Library, Providence, R. I.

[HUSBANDS, HERMON]

A Continuation of the | Impartial Relation | of the | First Rise and Cause | of the | Recent Differences, | in | Publick Affairs, | in the Province of North-Ca-|rolina, &c. | [*Rule*] | Second Part. | [*Rule*] | [*Type ornament*] | [*Double rule*] | Printed for the Author, | [Newbern ?] 1770. [58]

10.5 x 16 cm. 39 p.

By the same writer?: *A Fan for Fanning and a Touch-Stone to Tryon*, "containing an impartial account of the rise and progress of the so much talked of Regulation in North-Carolina, by Regulus." Boston, 1771.

Henry E. Huntington Library, San Marino, Cal.

NORTH CAROLINA (COLONY). GOVERNOR (WILLIAM TRYON.)

[A Plan for Keeping the Public Accounts. Newbern: James Davis, 1770.] [59]

Under date of November 30, 1769, Governor Tryon wrote to Lord Hillsborough: ". . . I laid before both Houses a plan I had digested as nearly as possible conformable to that observed in Virginia, a copy of which is entered on the Journals of the upper House. . . ." (*Colonial Records*, VIII, 152.) And on December 14, 1770,

in a message to the House of Assembly, the Governor said: "I herewith send you a printed copy of a plan laid before the last Assembly for keeping the public accounts." (*Colonial Records*, VIII, 317.) Weeks 1896, p. 262, no. 33*a*, dated this "1768 or 1769."

North Carolina (Colony). Laws, Statutes, etc.

[An Act for authorizing Presbyterian ministers, regularly called to any Congregation within this Province, to solemnize the Rites of Matrimony, under the regulations therein mentioned. Newbern: Printed by James Davis. 1770.] [60]

Title from Weeks 1896, p. 263, no. 33*c*, citing Rev. James Reed's letter of July 2, 1771, to the Society for the Propagation of the Gospel: "Lest by any accident the Governor's letter should have miscarried, I have sent you a printed copy of the act." (*Colonial Records*, IX, 5, 6.) This does not necessarily mean, of course, that this particular act was printed and issued separately.

1771

Burgwin, John, Compiler.

North-Carolina. | A Table of the Number of Taxables in this Province from the Year 1748 inclusive, with the Taxes laid for each Year, and an Account of the Sums that should Arise by the Sinking Tax Yearly to the Year 1770. | [*Long line of type ornaments*] | [Newbern: James Davis, 1771.] [61]

37.5 x 41 and 45.5 cm. Broadside, in 2 sheets.
No imprint.
On January 25, 1771, by a resolution of the House of Assembly, John Burgwin was allowed three hundred pounds for his competent services in "collecting a compleat list of Taxables" and at the same time it was further "Resolved, that all real future necessary expences that may be incurred in printing and publishing six hundred copies of the state of the public accounts and the different Funds shall be allowed to him as a Claim on the Public." (*Colonial Records*, VIII, 379 and 461-462.)
See the reproduction in Boyd, *Some Eighteenth Century Tracts Concerning North Carolina*, at p. 416.

Massachusetts Historical Society, Boston, Mass.

North Carolina (Colony). Grand Jury.

[Presentment of the Grand Jury, approving the proposal by Governor Tryon to go in person to suppress the insurgents, together with the association. Newbern, Printed by James Davis, 1771.] [62]

Governor Tryon wrote on April 12, 1771 to Earl Hillsborough: "Printed copies of these have been circulated through the Province." See *Colonial Records*, VIII, 547.

NORTH CAROLINA (COLONY). HOUSE OF ASSEMBLY.

The | Journal | of the | House of Assembly. | [*Rule*] | North-Carolina, sc. | At an Assembly began [*sic*] and held at Newbern, the Fifth Day of December, in the Eleventh | Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of | Great Britain, France, and Ireland, King, Defender of the Faith, &c. and in the Year of | our Lord One Thousand Seven Hundred and Seventy; being the first Session of this present | Assembly. | [*Rule*] | [Newbern: Printed by James Davis, 1771.] [63]

19 x 32.5 cm. 74 p.
Caption title; no imprint.
The session ended January 26, 1771.
University of North Carolina, Chapel Hill, N. C.

1773

NORTH CAROLINA (COLONY). LAWS, STATUTES, ETC.

A | Complete Revisal | of all the | Acts | of | Assembly, | of the Province of | North-Carolina, | now in force and use. | [*Line of type ornaments.*] | Together | with the title of all such laws as | are obsolete, expired, or repealed. | [*Line of type ornaments*] | With | marginal notes and references, and an | exact table to the whole. | [*Line of type ornaments*] | Newbern: | Printed by James Davis, Printer to the Honourable the House of Assembly. MDCCLXXIII. [64]

19.5 x 29.5 cm. 2 preliminary leaves, x, 566, [9] p. Title in border of type ornaments.
Proposals for printing this *Revisal* by subscription were published in the *North-Carolina Gazette* of November 10, 1769: "To the Public. As the first edition of the late revisal of the laws [1764] . . . is intirely sold off, that alone would be a sufficient reason, were there no other, for a second; as there is still a great demand for them, to supply the numerous inhabitants of this extensive province; But when the public are made acquainted, that by the expiration of a great number of temporary acts; the repeal of others; and the late re-enaction of the acts for establishing superior and inferior courts; for regulating and directing the duty of sherifs; and many other public acts, the whole plan and system of the late revisal is altered; they will no longer doubt of the expediency of a second revisal at this time. Upon these considerations the publisher undertakes it, . . . and would esteem it a particular favour in gentlemen that may have marked any errors in the late edition, to communicate the same, as they may be corrected, and the work rendered more compleat.
"By a revisal of the laws, the public are not to understand, as in propriety of speech they might, an entire correction of the many voluminous acts of assembly of this province, and the same reduced

A

COMPLETE REVISAL

OF ALL THE

ACTS

OF

ASSEMBLY,

OF THE PROVINCE OF

NORTH-CAROLINA,

NOW IN FORCE AND USE.

TOGETHER

WITH THE TITLES OF ALL SUCH LAWS AS ARE OBSOLETE, EXPIRED, OR REPEALED.

WITH

MARGINAL NOTES AND REFERENCES, AND AN EXACT TABLE TO THE WHOLE.

NEWBERN:

Printed by JAMES DAVIS, Printer to the Honourable the House of Assembly. MDCCLXXIII.

to a narrow code or system; this is a work of time, expence, and labour, and only belongs to the legislature, or persons properly qualified, by them authorized; and perhaps may not be undertaken while the province groans under its present distresses; The present plan is only to arrange the several acts that have been enacted from time to time, in the order in which they were passed; to mark the repealed, expired, or obsolete laws, and only insert the titles; and, as many laws are repealed in part only, to leave out the repealed part, or what comes within the purview of the repealing act, and only insert the clauses left in force,—This, with humble submission to the legislature, is a way of repealing that introduces infinite confusion in our laws, and renders a compleat knowledge of them very laborious. . . .

"These proposals were published some time ago, and the books were to have been delivered this fall [1769]; the work was accordingly carried on, and in great forwardness, but unfortunately for the Printer, every sheet of it was lost in the ruins of the Printing-Office, which was totally swept away in the late storm; also the list of subscribers' names that had been returned. They are therefore published again, in order to notify the misfortune, and to request the favour of those gentlemen that have already subscribed, to transmit their names again to the Printing Office."

The terms of the proposals called for a work in one large quarto volume to contain about 600 pages, neatly bound, with the subscribers' names printed in the books, at 40 shillings a copy.

As to the "late storm" in which Davis lost his printing office, a letter from Newbern to Governor Tryon dated September 10, 1769, relates of the destruction on the night of September 7th: "Mr. Davis's house a mere wreck, his printing office broke to pieces, his papers destroyed and types buried in the sand, his desk stove, and what money he had with all his private papers entirely lost." (*Colonial Records*, VIII, 74.)

Weeks no. 34. Evans 12904 (not located).

Henry E. Huntington Library, San Marino, Cal. Sondley Library, Asheville, N. C. Duke University Library, Durham, N. C. Supreme Court Library, Raleigh, N. C. University of North Carolina, Chapel Hill, N. C. Library of Congress, Washington, D. C. Massachusetts State Library, Boston, Mass. Boston Public Library. Harvard Law School Library, Cambridge, Mass. Cornell University Library, Ithaca, N. Y. Association of the Bar, New York City. Columbia University, New York City. New York Historical Society, New York City. Pennsylvania Historical Society, Philadelphia, Pa. Mr. Bruce Cotten, Baltimore, Md.

1774

DAVIS, JAMES.

The | Office and Authority | of a | Justice of Peace. | And also, | The Duty of Sheriffs, Coroners, Con-|stables, Churchwardens, Overseers | of Roads, and other Officers. | Together with | Precedents of Warrants,

Judgments, Execu-|tions, and other legal Process, issuable by Ma-|gistrates within their several Jurisdictions, in Cases | Civil and Criminal, with the Method of Judicial | Proceedings before Justices of the Peace out of Sessi-|ons. Also some Directions for their Conduct within | their County Courts. | To which is added, | An Appendix. | Containing many useful Precedents, and Directions | for the Execution of them. | Collected from the Common and Statute Laws of | England, and the Acts of Assembly of this Province, | and adapted to our Constitution and Practice. | [*Line of ornaments*] | By J. Davis, Esq; one of his Majesty's Justices of | the Peace for the County of Craven. | [*Line of ornaments*] | Newbern: | Printed by James Davis. M,DCC,LXXIV. [65]

12 x 19 cm. 2 leaves, 404, [3] p.

Library of Congress copy defective in that signature E is not signed and has its pages numbered 27, 26, 27, 26, 31, 30, 31, 30--pages 27 26, 31 and 30 being duplicated and the other pages of the signature missing. Other copies have signature E signed with all its pages present and in their correct order.

Advertised in the *North-Carolina Gazette* of February 21, 1775: "This day is published, beautifully printed, on an entire new Type, and good Paper, and to be sold at the Printing Office in Newbern, neatly bound in Law Binding. Price Two Dollars."

Weeks no. 35 (not located). Evans 13236 (not located).

Library of Congress, Washington, D. C. Sondley Library, Asheville, N. C. Duke University Library, Durham, N. C. University of North Carolina, Chapel Hill, N. C. Mr. Bruce Cotten, Baltimore, Md.

The First Book of the American | Chronicles of the Times. | [Newbern: James Davis, 1774.] [66]

11 x 17.5 cm. 15 p.

Caption title. Imprint on p. 15: Newbern: Printed by J. Davis. 1774.

Advertised in the *North-Carolina Gazette* of February 24, 1775: "Just published, and to be sold at the Printing Office, and by most of the Storekeepers in Town and Country, (Price Eight Coppers) . . . A Work of so much Humour, that upwards of 3000 Copies thereof were sold in a few days at Philadelphia."

Evans 13107. Sabin 24404 (not located).

John Carter Brown Library, Providence, R. I.

Newbern (North Carolina). Inhabitants.

Newbern, August 9, 1774. | To the Freeholders of Craven | County. | Gentlemen, | This Day a considerable Number of the Inhabitants of New-|bern met at the Court-House, . . . | [*12 lines*] | We are, Gentle-

men, your obedient Servants, | [*9 names in 2 columns*] | [Newbern: James Davis, 1774.] [67]

14 x 14 cm. (lower portion cut away). Broadside.

Among the names printed at the end, that of James Davis is first. The broadside give notice that the meeting "appointed Abner Nash and Isaac Edwards, Esqrs. Deputies, to act for them at the general Meeting to be held here on the 25th Instant, for the Purposes of taking into Consideration the present alarming State of British America, and the late Acts of Parliament relating to the Port of Boston and Province of Massachusetts-Bay," and called a meeting at Newbern on the 20th of August for the inhabitants of Craven County, to "instruct their Members of Assembly, or such other Persons as they may chuse, to represent them in the said general Meeting."

The lower portion of this broadside, or handbill, has been cut off in such a way as to indicate that perhaps one of the list of names at the end was intentionally removed.

There is no imprint, but James Davis was unquestionably the printer.

Public Record Office, London, England (C.O. 5/318).

NORTH CAROLINA (COLONY). LAWS, STATUTES, ETC.

The | Acts | of | Assembly | of the Province of | North-Carolina, | Passed | At an Assembly, began [*sic*] and held | at Newbern, the Second Day of March, in the Fourteenth | Year of the Reign of our Sovereign Lord George the | Third, by the Grace of God, of Great-Britain, France, | and Ireland, King, Defender of the Faith, &c. and in | the Year of our Lord One Thousand Seven Hundred and | Seventy Four; being the Second Session of this present | Assembly. | [*Rule*] | [*Royal arms*] | [*Rule*] | Newbern: | Printed by James Davis, Printer to the Honourable the | House of Assembly. MDCCLXXIV. [68]

22 x 32 cm. Title page (verso blank) and p. 567-612. Signatures Rrrr (on p. 567)-Eeeee, each 2 leaves (last leaf blank).

Caption title on p. 567: [*Headband of type ornaments*] | Anno Regni | Georgii III. | Regis | Magnæ Britanniæ, Franciæ, & Hiberniæ, | Decimo Quarto. | [*Rule*] | At an Assembly, began [*sic*] and held at Newbern, the Second Day of | March, in the Fourteenth Year of the Reign of our Sovereign Lord | George the Third, by the Grace of God, of Great-Britain, France, | and Ireland, King, Defender of the Faith, &c. and in the Year of our | Lord One Thousand Seven Hundred and Seventy Four; being the | Second Session of this Assembly. | [*Rule*].

Acts ratified March 19, 1774. On p. 606 (Chap. XXI) is An Act for further continuing An Act, intituled, An Act for appointing a Printer to this Province. See *Colonial Records*, XXIII, p. 971.

Evans 13504.

University of North Carolina, Chapel Hill, N. C.

WILMINGTON, N. C. INHABITANTS.

At a General Meeting of the Inhabitants of the District of Wilmington in the | Province of North-Carolina, held at the Town of Wilmington | July 21st, 1774. | William Hooper, Esq; Chairman. | Resolved . . . | [Wilmington: Adam Boyd, 1774.] [69]

15 x 19 cm. Broadside.

No imprint.

Resolutions appointing a committee to prepare a circular letter to the other counties of North Carolina and proposing the convening of a congress of all the American colonies to meet in Philadelphia.

Public Record Office, London, England (C.O. 5/318, f. 27).

WILMINGTON, N. C. COMMITTEE OF CORRESPONDENCE.

Gentlemen, | At this Conjuncture of British Politics when the Liberty and Property of North-|American Subjects are at Stake, . . . | [*22 lines*] | [Wilmington: Adam Boyd, 1774.] [70]

14.5 x 19 cm. Broadside.

Circular letter sent out by the committee appointed at the meeting at Wilmington on July 21, 1774, transmitting a copy of the resolutions adopted at that meeting (No. 69, above). The copy described was addressed in handwriting "To The Freeholders of Craven County" and was signed with the autographs of James Moore and three others. It was endorsed upon receipt in London "In Govr. Martin's (No. 26) of 1st Septr. 1774."

The letter requests that the community addressed "would send the Members, already by you elected, to represent you in the General Assembly, or such other Persons whom you shall approve of to appear as your Deputies at the Court-House of Johnston County, on the 20th Day of August next, possessed of the Sentiments of those in whose Behalf they attend, and with full Power to express it as obligatory upon the future Conduct of the Inhabitants of this Province; and, then and there, to consult and determine what may be necessary to the general Welfare of America and of this Province." There is no imprint, but Adam Boyd, publisher of the Wilmington *Cape-Fear Mercury*, was undoubtedly the printer.

Public Record Office, London, England (C.O. 5/318).

1775

CRAVEN COUNTY, N. C. COMMITTEE.

At a Meeting of the Committee | for the County of Craven, and | Town of Newbern, on the 4th | Day of March, 1775. | Resolved, that at this critical Juncture it becomes the Duty | of this Committee to remind

At a Meeting of the COMMITTEE *for the County of* CRAVEN, *and Town of* NEWBERN, *on the 4th Day of* March, 1775.

RESOLVED, that at this critical Juncture it becomes the Duty of this Committee to remind their Conſtituents, that ſeveral important Rules and Regulations, eſtabliſhed by the General Congreſs, have now lately taken Place; and they hereby beg Leave earneſtly to exhort them, as they regard the future Welfare of themſelves and their Poſterity, to remain firm and ſteady in the common Cauſe of Liberty, and that they teſtify the ſame by paying a ſacred Regard to thoſe Rules, as the only Means left, under Divine Providence, of delivering *America* from the cruel Hand of arbitrary Power: We, of the Committee, at the ſame Time obſerve, with inexpreſſible Joy, that the People of *New-York* remain firm in the good Cauſe of Liberty, notwithſtanding every Art that a corrupt Miniſtry, and a Set of deſpicable Scribblers under them, could invent and put in Practice, to create a Diviſion of political Sentiments in that Province; and that they have lately obliged Two Ships, richly laden with *Britiſh* Goods, to leave their Port, and return to the Place from whence they came, agreeable to the Articles of Aſſociation recommended by the General Congreſs, which all are equally bound, by every Tie of Honour, mutual Faith, and perſonal Security, to obſerve and ſupport, for the arbitrary Deſigns of Parliament appear no longer under Diſguiſe---the Standard of its Tyranny is now erected in this once happy Land; and a melancholy Sample have they afforded us, of what we may expect in future from their Juſtice and Equity, if we ſubmit to their Edicts already paſt; for ſhe not only aſſumes the Right of taxing us at Pleaſure, and, in ſhort, of making Laws to bind us in all Caſes whatſoever; but, to crown the Whole, ſhe has paſt a Law for tranſporting us like Felons occaſionally over Sea, to be tried, condemned and puniſhed, in Caſe we ſhould at any Time murmur at our Hardſhips, or prove otherwiſe obnoxious to Men in Power; and to carry this moſt cruel Scheme of Tyranny into Execution, we find the Towns of our Fellow Countrymen to the Northward infeſted with Armies, and their Ports and Harbours with Fleets. Be ſenſible, O *Americans!* of your Danger; let that unite you together as one Man, and ceaſe not to implore the great Diſpoſer of all Things to aſſiſt and crown with Succeſs the Councils of the General Congreſs.

R. Cogdell,
Abner Naſh,
Richard Blackledge,
Farnifold Green,
John Fonveille,
James Davis,
Edmond Hatch,
James Coor,
Jacob Johnſton,
Jacob Blount,
Joſeph Leech,
Alex. Gaſton,
William Bryan.

their Constituents, that several | important Rules and Regulations, established by the Gene-|ral Congress . . . | [Newbern: James Davis, 1775.] [71]

18 x 30 cm. Broadside.
No imprint.
Exhortation to all Americans to unite and support the general Congress; signed at end by R. Cogdell and twelve others, including James Davis.
Public Record Office, London, England (C.O. 5/318, f. 71).

[The Crisis. A Periodical Paper lately published in London, in 8 Numbers. Newbern: Printed by James Davis, 1775.] [72]

8 vo. 64 p.
Advertised in the *North-Carolina Gazette* of July 14, 1775: "This Day is published, and to be sold at the Printing Office in Newbern, Price 1s. 6d." The advertisement describes the publication thus: "It is a true Portrait of the present Times, and wrote with great Freedom. It has been consigned to the Flames by the present pious Parliament, the common Hangman having burnt it in several Places in London by their order."
See Evans 13901, 13911, 13921, 13930, 13939, 13948, 13957, 13964.

T. J. Emery, | Gives this public Notice to his Friends and Customers, that he has just imported from England, . . . | . . . a very large and complete Assortment of European | Goods, which he is now selling at his new Store in Newbern . . . | [*2 lines, followed by list of goods in 4 columns*] | Said Emery has also for Sale . . . | [*1 line*] | [Newbern? 1775 ?] [73]

28 x 45 cm. Broadside.
This broadside was used by Emery as wrapping paper for paper money. A date in handwriting on the reverse, Jan. 30, 1776, signed by T. J. Emery, makes it seem likely that the broadside was printed in Newbern in 1775 or in January, 1776.
New York Public Library (2 copies).

Advertisement. | [*Rule*] | Perquimans County, Feb. 11, 1775. | The respective Counties and Towns in this Colony are | requested to elect Delegates to represent them in Con-|vention, who are desired to meet at the Town of Newbern on | Monday the 3d Day of April next. | John Harvey, Moderator. [Newbern: James Davis, 1775.] [74]

15 x 10 cm. Broadside.
No imprint.
Public Record Office, London, England (C.O. 5/318, f. 73).

North Carolina (Colony). Governor (Josiah Martin).

North-Carolina, ss. | By his Excellency | Josiah Martin, Esq. | Captain-General, Governor, and Commander in Chief, in and over the | said

Province. | A Proclamation. | [*45 lines*] | Given under my Hand, and the Great Seal of the said Province, | at Newbern, | the 10th Day of February, Anno | Dom. 1775, and in the 15th Year of his Majesty's Reign. | Jo. Martin. | God save the King. | By his Excellency's Command, | James Parratt, D. Sec. | [Newbern: James Davis, 1775.] [75]

32 x 44 cm. Broadside.
No imprint.
Forbidding Richard Henderson to establish a colony for undesirable citizens on land acquired by treaty of purchase from the Cherokees.
Public Record Office, London, England (C.O. 5/318, No. 95).

NORTH CAROLINA (COLONY). GOVERNOR (JOSIAH MARTIN).

North-Carolina. | By His Excellency | Josiah Martin, Esq. | His Majesty's Captain-General, Governor, and Commander in Chief, in and over | the said Province. | A Proclamation. | Whereas I have received certain information, that sundry ill-disposed | Persons have been, and are still going about the country of Brunswick, and other counties of this province industriously | propagating false, seditious, and scandalous reports, derogatory to the honour and justice of the King and his govern-|ment . . . | [*At end*]: Given, under my Hand, and the Great Seal of the said Province, at Fort Johnston, | this Sixteenth Day of June, 1775, and in the Fifteenth Year of his Majesty's Reign. | Josiah Martin. | By his Excellency's Command, | Alexander Maclean pro James Biggleston, D. Secretary. | God Save the King. | [Newbern: James Davis, 1775.] [76]

21 x 33 cm. Broadside.
No imprint.
Exhorting the inhabitants of North Carolina to loyalty to the crown.
Public Record Office, London, England (C.O. 5/318, f. 279).

NORTH CAROLINA (COLONY). PROVINCIAL CONGRESS.

The | Journal | of the | Proceedings | of the | Provincial Congress, | of North-Carolina. | Held at Hillsborough on the 20th Day of | August, 1775. | [*Filet*] | Published by Authority. | [*Filet*] | Newbern: Printed by James Davis, Printer to the Honourable | the House of Assembly. MDCCLXXV. [77]

16 x 20.5 cm. 40 p.
The session lasted to September 10, 1775.
Advertised in the *North-Carolina Gazette* of October 6, 1775: "This day is published, and to be sold at the Printing Office in Newbern, Price 2/6 . . ."
Weeks no. 37 ("there is a printed copy . . . in the Public Record Office in London"). Evans 14354.

THE

JOURNAL

OF THE

PROCEEDINGS

OF THE

PROVINCIAL CONGRESS,

OF NORTH-CAROLINA.

Held at HILLSBOROUGH on the 20th Day of AUGUST, 1775.

PUBLISHED BY AUTHORITY.

NEWBERN:

Printed by JAMES DAVIS, Printer to the Honourable the Houſe of Aſſembly. MDCCLXXV.

Library of Congress, Washington, D. C. University of North Carolina, Chapel Hill, N. C. (lacking last leaf). *John Carter Brown Library, Providence, R. I.*

PITT, WILLIAM, EARL OF CHATHAM.

[The Speech of the Right Honourable the Earl of Chatham, in the House of Lords, January 20, 1775, on a Motion for an Address to his Majesty, to give immediate Orders for removing his Troops from Boston forthwith, in order to quiet the minds, and take away the apprehensions of his good subjects in America. Newbern: Printed by James Davis, 1775.] [78]

Advertised in the *North-Carolina Gazette* of June 30, 1775, as "just published, and to be sold at the Printing Office, price Eight Pence." The fact of its printing at Newbern is further confirmed by this further note in the same issue: "In No. 322 of this Paper we gave what then appeared to be Lord Chatham's speech. But to preserve the Purity of that great Man's Thoughts on American Liberty, an exact Copy of the original Speech, taken down as it was spoken in the House of Lords, has been transmitted to Philadelphia in Manuscript, and there published in an elegant Pamphlet. From that Copy the same is now published here, and ought by every true American to be preserved, as the liveliest Picture ever drawn of his Rights and Liberties, invaded by a wicked and tyrannical Ministry."
The Philadelphia issue was printed by John Dunlap, 1775.

PRESBYTERIAN CHURCH. SYNOD OF PHILADELPHIA.

[An Address to the Ministers and Presbyterian Congregations in North-Carolina. Wilmington: Adam Boyd, 1775.] [79]

Weeks, 1896, p. 263, no. 36*a*, records this as a "hypothetical title based on *Colonial Records*, X, 188," and suggests it as probable that it was first printed in Boyd's *Cape Fear Mercury* and then reprinted for presentation to the provincial congress. The cited passage in *Colonial Records* reads: "Sept. 2, 1775. Mr. Boyd laid before the Congress two hundred pastoral letters from the Synod of Philadelphia addressed to the Inhabitants of this province, which were dispersed among the members. Resolved, that the said Adam Boyd be allowed the sum of ..... Proclamation money to be paid by the public Treasurers or either of them, and be allowed in their accounts with the Public."
The address, dated at Philadelphia, July 10, 1775, has been reprinted in *Colonial Records*, X, 222-228.

UNITED STATES. CONTINENTAL CONGRESS.

[Extracts from the Votes and Proceedings of the American Continental Congress, held at Philadelphia, on the fifth day of September, 1774, containing the Bill of Rights, a List of Grievances, Occasional Resolves, the Association, an Address to the People of Great Britain, and a Me-

morial to the Inhabitants of the British American Colonies. Also the Letter to the Inhabitants of Quebec, and General Gage's Answer to the Letter sent him by the General Congress. Newbern: Printed by James Davis, 1775.] [80]

Advertised in the *North-Carolina Gazette* of February 24, 1775, as "just published, and to be sold at the Printing Office, in Newbern, price two Shillings."

United States. Continental Congress.

To the Committees of the several Towns and Counties of the Province of North-Caro-|lina, appointed for the Purpose of carrying into Execution the Resolves of the Continental | Congress. | Gentlemen, | When the Liberties of a People are invaded, . . . | [Newbern ? 1775.] [81]

19 x 29 cm. 2 p.
No imprint.
Signed at end: William Hooper, Joseph Hewes, Richard Caswell, Philadelphia, June 19, 1775. Though the letter was dated from Philadelphia, I am inclined to believe it was printed in North Carolina, probably at Newbern.
This copy was endorsed upon its receipt in London: "In Govr. Martin's (No. 39) of 28 August 1775."
Exhorting the people of North Carolina to awake to their present danger and to train and equip a militia.
Public Record Office, London, England (C.O. 5/318, f. 409).

1776

North Carolina (Colony). Governor (Josiah Martin).

North-Carolina, St. | By His Excellency Josiah Martin, His Majesty's Captain General, Governor and Commander in Chief | in and over the said Province. | A Proclamation. | [*85 lines*] | Given under My Hand, and the Great Seal of the said Province on board the Snow Peggy, in Cape-Fear River, this Seventh Day of April 1776, and in the | Sixteenth Year of His Majesty's Reign. (Signed) Josiah Martin. | God save the King. | Extract from the Votes of the House of Commons of 29th November, 1775. | [*23 lines*]. | [1776.] [82]

32.5 x 41.5 cm. Broadside.
No imprint.
Calls upon his Majesty's subjects who are in rebellion to return to their allegiance, promising, in addition to regular pay, free grants of land exempt from quit-rent for ten years to those who bear arms to suppress the rebellion; and declares martial law in North Carolina.
Evans 14949.
Library of Congress, Washington, D. C. (MS Div.).

NORTH CAROLINA. PROVINCIAL CONGRESS.

The | Journal | of the | Proceedings | of the | Provincial Congress | of North-Carolina, | Held at Halifax on the 4th Day of April, 1776. | [*Filet*] | Published by Authority. | [*Filet*] | Newbern: | Printed by James Davis, Printer to the Honourable the House of Assembly. | MDCCLXXVI. [83]

18 x 22 cm. 46 p.
The congress continued to May 14, 1776.
Weeks no. 38 (from Sabin 55631). Evans 14948. Reprinted in 1831.
Library of Congress, Washington, D. C. (lacking p. 45-46).

1777

[The Manual Exercise, as ordered by the British King in the Year 1764. With the Manner of Priming and Loading, and the Position of each Rank in Firings. And the Method of performing the Firings, Evolutions, &c. at Reviews and Field Days. To which is added, the Articles of War of the Continental Army. Newbern? James Davis? 1777.] [84]

Advertised in the *North-Carolina Gazette* of July 4, 1777, as "also to be sold at the said Office." Such a work was needed by the military and would be quite appropriate for local printing, but it is possible the copies here advertised for sale had been imported from a city farther northward. Evans 15359 records an edition by Hugh Gaine, New York, 1777, but this may have been Gaine's 1775 edition re-advertised in the *Mercury*, no. 1360 (P. L. Ford, *Journals of Hugh Gaine, Printer*, vol. 1, p. 146). No other edition of 1777 seems to be recorded, and particularly no edition containing "the articles of war of the Continental Army."
There were 1774 editions at Boston, Newburyport, New Haven, and Providence (Evans 13319-13323); 1775 editions at Baltimore, Lancaster, New York, Norwich, Philadelphia (2), Williamsburg (2), Wilmington, Del. (Evans 14101-14109); and a 1776 edition at Philadelphia (Evans 14797).

NORTH CAROLINA. LAWS, STATUTES, ETC.

The | Acts | of | Assembly | of the State of | North Carolina. | Passed | At a General Assembly | begun and held at Newbern on the Eighth Day of April, | in the Year of our Lord One Thousand Seven Hundred | and Seventy Seven, and in the First Year of the Indepen-|dence of the said State: Being the First Session of this | Assembly. | [*Line of type ornaments*] | [*Second line of type ornaments*] | Newbern: | Printed by James Davis. MDCCLXXVII. [85]

19.5 x 30.5 cm. [2], 38 p. Title in border of type ornaments.
The wording of the title page is repeated as a caption title on p. 1, under a headband of type ornaments.

Advertised in the *North-Carolina Gazette* of October 17, 1777, as "Just published, and to be sold at the Printing Office, Price One Dollar." The advertisement goes on to explain: "Mr. Pinkney, who was appointed Printer to this State in April last, being dead, and no Prospect of the State's being able to get their Laws printed, Mr. Davis informs the Public, that he has undertaken this necessary Work, and will dispatch them to the several Counties as soon as possible." These Acts had previously been advertised in the same newspaper of October 3 and October 10 as "in the press." The "just published" continued to appear in the same advertisement as late as February, 1778.

The acts of this session were ratified May 9, 1777.

Weeks no. 40. Evans 15487.

Library of Congress, Washington, D. C. University of North Carolina, Chapel Hill, N. C. (title page defective). *Pennsylvania Historical Society, Philadelphia, Pa.*

North Carolina. Provincial Congress.

The | Journal | of the | Proceedings | of the | Provincial Congress | of North-Carolina, | Held at Halifax the 12th Day of November, 1776. | Together with | The Declaration of Rights, | Constitution, & Ordinances | of Congress. | [*Filet*] | Published by Authority. | [*Filet*] | Newbern: | Printed by James Davis, Printer to the Honourable the General | Assembly. MDCCLXXVII. [86]

12.5 x 18 cm. 84 p.

The congress continued to December 23, 1776.

Weeks no. 39 (from Sabin 55632). Evans 15489.

Library of Congress, Washington, D. C. Library of the Boston Athenæum.

United States. Articles of Confederation.

Articles | of | Confederation | and | Perpetual Union | between the | states | of | New Hampshire, Massachusetts Bay, Rhode Island and Provi-|dence Plantations, Connecticut, New York, New Jersey, | Pennsylvania, Delaware, Maryland, Virginia, North-Ca-|rolina, South Carolina, and Georgia. | [*Double rule*] | Lancaster, Printed. | Newbern: Reprinted by James Davis, | MDCCLXXVII. [87]

18 x 29 cm. 9 p.

Advertised in the *North-Carolina Gazette* of January 2, 1778, as "Just published and to be sold at the Printing Office in Newbern, price half a dollar. . . . lately published by order of Congress, and absolutely necessary to be had by every person who wishes well to this union, and wants to know how the glorious Fabrick of this new world is to be regulated."

Weeks no. 42. See Sabin 2142.

Library of Congress, Washington, D. C.

1778

DYCHE, THOMAS.

[Dyche's Spelling Book; or a Guide to the English Tongue. In Two Parts. The first, proper for Beginners, showing a natural and easy method, to pronounce and express both common words, and proper names; in which particular care is had to show the accent, for preventing vicious pronunciation. The Second, for such as are advanced to some ripeness of judgment, containing observations on the sounds of letters and Diphthongs; rules for the true division of syllables, and the use of capitals, stops, and marks: With large tables of abbreviation, and distinctions of words; and several alphabets of copies for young writers. To which is now added, An Appendix, containing many additional lessons, in prose and verse; First, in words of one syllable only; and then mix'd with words of two, three, four, five, six, and seven syllables. Newbern: Printed by James Davis, 1778?] [88]

Advertised in the *North-Carolina Gazette* of Nov. 7 and 14, 1778: "In the Press, and in a few weeks will be published, price bound Two Dollars and a Half." It is possible, of course, that it never appeared.
Weeks no. 49. Evans 15789.

NORTH CAROLINA. GENERAL ASSEMBLY. HOUSE OF COMMONS.

The | Journal | of the | House of Commons. | [*Row of type ornaments*] | State of North-Carolina. | At a General Assembly, begun and held at Newbern on the 14th Day of April, in the Year of our Lord 1778, and in the se-|cond Year of the Independence of said State: Being the first | Session of this Assembly. | [Newbern: James Davis, 1778.] [89]

20 x 30 cm. 36 (+?) p.
Caption title; no imprint.
The session lasted to May 1, 1778.
Library of Congress, Washington, D. C. (complete?).

NORTH CAROLINA. GENERAL ASSEMBLY. HOUSE OF COMMONS.

The | Journal | of the | House of Commons. | [*Rule*] | State of North-Carolina. | At a General Assembly, begun and held at Hillsborough on the 8th Day of August, | in the Year of our Lord 1778, and in the third Year of the Independence of the said State: | Being the second Session of this Assembly. | [Newbern: Printed by James Davis, 1778.] [90]

18.5 x 28 cm. 24+ p.
Caption title; no imprint.
University of North Carolina, Chapel Hill, N. C. (lacking all after p. 24).

NORTH CAROLINA. LAWS, STATUTES, ETC.

The | Acts | of | Assembly | of the state of | North Carolina. | Passed | at a General Assembly | begun and held at Newbern on the Fifteenth

Day of | November, in the Year of Our Lord One Thousand Seven | Hundred and Seventy Seven, and in the Second Year of | the Independence of the said State: Being the Second | Session of this Assembly. | [*Line of type ornaments*] | Published by Authority. | [*Line of type ornaments*] | Newbern: | Printed by James Davis, Printer to the Honourable the | General Assembly. MDCCLXXVIII. [91]

20 x 32.5 cm. 84 p.

Advertised in the *North-Carolina Gazette* of March 6, 1778, and later issues as "Just published, and to be sold at the Printing Office, Price Two Dollars and a half, Comprized in Twenty One Sheets in Folio, The Acts of the last Session of Assembly, held at Newbern in December last." Beginning with the advertisement in the issue of April 3, 1778, the price was increased to three dollars.

Weeks no. 43. Evans 15943.

Harvard Law School, Cambridge, Mass. Supreme Court Library, Raleigh, N. C. (imperfect). *University of North Carolina, Chapel Hill, N. C. Pennsylvania Historical Society, Philadelphia, Pa.*

North Carolina. Laws, Statutes, etc.

The Acts of Assembly of the state of North Carolina. Passed at a General Assembly begun and held at Newbern on the 14th Day of April, in the Year of our Lord 1778, and in the second Year of the Independence of said State: Being the first Session of this Assembly. [Newbern: James Davis, 1778.] [92]

? x ? cm. 20 p.

Title in the above form assumed from caption titles of the Acts of Assembly of other years, as all the copies located lack pp. 1-2 with the title.

Advertised in the *North-Carolina Gazette* of June 26, 1778, and later issues, as "Just published, and to be sold at the Printing Office, Price One Dollar."

Weeks no. 44. Evans 15944.

University of North Carolina, Chapel Hill, N. C. Library of Congress, Washington, D. C. Harvard Law School Library, Cambridge, Mass. Association of the Bar, New York City. Pennsylvania Historical Society, Philadelphia, Pa.

North Carolina. Laws, Statutes, etc.

[An Act for Raising Men, to Complete the Continental Battalions belonging to this State. April 27, 1778. Newbern: James Davis, 1778.] [93]

Folio. 1 leaf.

Title and collation from Weeks no. 45 (not located). Evans 15945.

North Carolina. Laws, Statutes, etc.

[*Headband of type ornaments*] | Acts | of | Assembly | of the State of | North Carolina. | [*Rule*] | State of North Carolina. | At a General

Assembly, begun and held at Hillsborough on the 8th Day of | August, in the Year of our Lord 1778, and in the Third Year of the Independence of | the said State: Being the Second Session of this Assembly. | [*Rule*] | [Newbern: Printed by James Davis, 1778.] [94]

20.5 x 31.5 cm. 4 p.
Caption title on p. 1; no imprint. Running head between rules at top of page: Laws of North-Carolina. In right margin below running head and above headband: A. D. 1778 (over a brace). Also in right margin, opposite the line "At a General Assembly . . .": Richard | Caswell, | Esq; Gover-|nor.
Headband is the same as that on p. 1 of the Acts of April, 1777.
Weeks no. 47 (collated 38 p.!). Evans 15946 (from Weeks).
University of North Carolina, Chapel Hill, N. C. (2 copies).

UNITED STATES. TREATIES.

[Treaty of Friendship and Alliance Concluded between France and the United States. Newbern: Printed by James Davis, 1778.] [95]

Weeks no. 46, citing the *North-Carolina Gazette* of May 29, 1778, in which it was mentioned as "immediately published here." This is presumptive but not entirely conclusive evidence of its having been printed locally.
Evans 16148.

1779

NORTH CAROLINA. GENERAL ASSEMBLY. HOUSE OF COMMONS.

[*Headband of type ornaments*] The | Journal | of the | House of Commons. | [*Row of type ornaments*] | State of North-Carolina. | At a General Assembly, begun and held at Smithfield on the third day of | May, in the year of our Lord 1779, and in the third year of the independence of the | said state: Being the first session of this assembly. | [*Row of type ornaments*] | [Newbern: James Davis, 1779.] [96]

15.5 x 19.5 cm. 33 p.
Caption title; no imprint.
The session lasted to May 15, 1779.
Library of Congress, Washington, D. C.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Headband of type ornaments*] | Acts | of | Assembly | of the State of | North-Carolina. | [*Line of type ornaments*] | State of North-Carolina. | At a General Assembly begun | and held at Newbern on the 14th Day of April, in the Year of our | Lord 1778, and from thence continued by Adjournments and Pro-|rogations to the 19th Day of January, at Hali-

fax, in the Year of | our Lord 1779, being the third Session of this Assembly. | [*Rule*] | [Newbern: Printed by James Davis, 1779.] [97]

18.5 x 30 cm. 38 p.
Caption title; no imprint. Running head as before. In right margin below running head and above headband: A. D. 1779 (over a brace). In right margin, as before, name of Richard Caswell, Esq; Governor. Typographic headband entirely different from that of the Acts of April, 1777, and August, 1778.
On p. 38: "Read three times, and ratified in general assembly, the twelfth day of February, anno domini one thousand seven hundred and seventy nine."
Weeks no. 50.
University of North Carolina, Chapel Hill, N. C. Supreme Court Library, Raleigh, N. C.

North Carolina. Laws, Statutes, etc.

[*Headband of type ornaments*] | The | Acts of Assembly | of the State of | North-Carolina. | [*Line of type ornaments*] | State of North Carolina. | At a General Assembly, begun and held at Smithfield on the third day of May, in | the year of our Lord 1779, and in the third year of the independence of the said state: Being | the first session of this Assembly. | [*Line of type ornaments*] | [Newbern: Printed by James Davis, 1779.] [98]

18 x 31 cm. 4 p.
Caption title; no imprint. Running head omitted on p. 1 but on other pages as before. In right margin, date A. D. 1779 over a brace, as before, but the governor's name does not occur.
On p. 4: "Read three times, and ratified in general assembly, the 10 of May, 1779."
Weeks no 51.
University of North Carolina, Chapel Hill, N. C. Supreme Court Library, Raleigh, N. C.

North Carolina. Laws, Statutes, etc.

[*Headband of type ornaments*] | Acts of Assembly | of the | State of North Carolina. | [*Rule*] | At a General Assembly, begun and held at Halifax on the eighteenth day of October, in the year | of our Lord one thousand seven hundred and seventy nine, and in the fourth year of the independence of the | said state: Being the second session of this Assembly. | [*Rule*] | [Newbern: Printed by James Davis, 1779.] [99]

20 x 26.5 and 18 x 23.5 cm. 34 p.
Caption title; no imprint. Running head omitted on p. 1, but on other pages as before. In right margin, as before, the date A. D. 1779 over a brace, and the name of Richard Caswell, Esq; Governor.

With page 17 the type measure changes from 38 picas to 32, and the size of the leaf from the larger to the smaller size noted above.
On page 24: "Read three times, and ratified in General Assembly, the tenth day of November, 1779."
Weeks no. 52. Evans 16418.
University of North Carolina, Chapel Hill, N. C. Supreme Court Library, Raleigh, N. C.

1780

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Headband of type ornaments*] | Acts of Assembly | of the | State of North-Carolina. | [*Rule*] | At a General Assembly, begun and held at Newbern on the seventeenth day of April, in the year | of our Lord one thousand seven hundred and eighty, and in the fourth year of the independence | of the said state: Being the first session of this Assembly. | [*Rule*] | [Newbern: Printed by James Davis, 1780.] [100]

20.5 x 30 cm. 16 p.
Caption title; no imprint. Running head omitted on p. 1, but on other pages as before. In right margin, as before, the date A. D. 1780 over a brace, and also the name: Abner | Nash, Esq; | Governor.
With page 12 the type measure changes from 36 to 32 picas.
On p. 16: "Read three times, and ratified in general assembly, the tenth day of May, anno dom. 1780."
Weeks no. 53. Evans 16913.
University of North Carolina, Chapel Hill, N. C. Supreme Court Library, Raleigh, N. C.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Headband of type ornaments*] | Acts of Assembly | of the | State of North Carolina. | [*Line of type ornaments*] | At a General Assembly, begun and held at Hillsborough on the fifth day of | September, in the year of our Lord one thousand seven hundred and eighty, and in the fifth year of the independence of the said state: Being the second session of this Assembly. | [*Line of type ornaments*] | [Newbern: Printed by James Davis, 1780.] [101]

18 x 24 cm. 11 p.
Caption title; no imprint. Running head omitted on p. 1, but on other pages as before. In right margin, as before, the date A. D. 1780 over a brace, and also the name Abner Nash, Esq; governor.
On p. 11: "Read three times, and ratified in General Assembly, the thirteenth day of Septr. Anno Dom. 1780."
Weeks no. 54. Evans 16914.
University of North Carolina, Chapel Hill, N. C. Supreme Court Library, Raleigh, N. C.

1781

North Carolina. Laws, Statutes, etc.

[*Headband of type ornaments*] | Acts of Assembly | of the | State of North Carolina. | [*Line of type ornaments*] | At a General Assembly begun and held at Halifax on the eighteenth day of January, | in the year of our Lord one thousand seven hundred and eighty one, and in the fifth year of | the independence of the said state: Being the third session of this assembly. | [Newbern: Printed by James Davis? 1781.] [102]

19.5 x 28 cm. 16, [4] p.
The leaves of signature E have no page numbers and are 15 x 20.5 cm.
Caption title; no imprint.
Weeks no. 55. Evans 17278.
University of North Carolina, Chapel Hill, N. C. Supreme Court Library, Raleigh, N. C. (imperfect).

North Carolina. Laws, Statutes, etc.

[*Headband of type ornaments*] | Acts of Assembly | of the | State of North Carolina. | [*Rule*] | At a General Assembly, begun and held in Wake county on the [*blank space*] day of | June, in the year of our Lord one thousand seven hundred and eighty one, and in the sixth | year of the independence of the said state: Being the first session of this assembly. | [*Rule*] | [103]

18.5 x 26 cm. 16, [4] p. Signatures [A]-E, each 2 leaves.
Caption title on p. 1; no imprint. Acts ratified July 14, 1781.
Signature E contains 4 unnumbered pages 15.5 x 20 cm.
On p. 16, under Chap. XII, An Act allowing salaries . . . , is the provision "That the public printer of this state be allowed the sum of two hundred and fifty pounds specie per annum for his public services, exclusive of the prime cost of the paper he may expend in printing the journals of the general assembly and the laws of this state, for which paper he shall be allowed by the state auditors or the general assembly."
Weeks no. 56. Evans 17279.
University of North Carolina, Chapel Hill, N. C. Supreme Court Library, Raleigh, N. C. (imperfect).

1782

Ashe, Samuel.

A Charge given to the Grand-Jury at Wilmington, Nov. 30, 1782, by the Hon. Samuel Ashe Esq; one | of the Judges of the Superior Courts. [104]

38 x 29.5 cm. Broadside. Text in 2 columns.
No imprint.
University of North Carolina, Chapel Hill, N. C.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Headband of type ornaments*] | Acts | of | Assembly | of the state of | North Carolina. | [*Rule*] | At a General Assembly, begun and held at Hillsborough | on the Thirteenth day of April, in the year of our Lord One | Thousand Seven Hundred and Eighty Two, and in the Sixth | Year of the Independence of the said State: Being the First | Session of this Assembly. | [*Rule*] | [Halifax: Printed by Thomas Davis, 1782.] [105]

18.5 x 29.5 cm. and (beginning with signature K) 17.5 x 23 cm. 56 p.

Caption title on p. 1. Imprint on p. 56: Halifax: Printed by Thomas Davis. Acts ratified May 12, 1782.

On p. 32, under Chap. XIII, An Act for ascertaining the salaries of the governor, secretary and other officers of the state, is the provision "that the public printer be allowed the sum of six hundred pounds specie per annum for his public service, exclusive of the prime cost of paper, for which he shall be allowed by the auditors or general assembly."

Weeks no. 57. Evans 17644.

University of North Carolina, Chapel Hill, N. C. Supreme Court Library, Raleigh, N. C.

[*To be continued*]

BOOK REVIEWS

History of Wake Forest College. Volume I. By George Washington Paschal. (Wake Forest, N. C.: Wake Forest College. 1935. Pp. viii, 681. $2.00, deluxe edition, $5.00.)

The old conception that history does not include such subjects as education has happily been abandoned, and there have within recent years appeared a considerable number of histories of colleges and universities. Not until every important educational institution in the country has had its life history recorded, can the general historian write with the fulness of understanding and interpretation that should characterize his work. The people who have blazed the trail and led the way in our country's development have to a great extent first passed through our colleges. Until the forces behind this formative period of their lives are understood and evaluated, there can be no complete understanding of their later careers and the work they accomplished. The historian of the college is, therefore, laying that part of our historical foundation which has too long been neglected.

A history of a college may be a well-balanced production intended for a rapid reading, or it may be a more ponderous work made up of a compilation of a great many facts and names with enough artistry to make it readable by skipping a great many things. Each kind has its place, and it may not be going too far to say that the latter, if its joints are not too prominent, is the more valuable—for it may serve both as an interpretation and a source book at the same time. Professor Paschal in his account of Wake Forest College has followed the latter plan, and he has succeeded admirably. He has made the past of the college which he and many other people love, live again. No one can read this book without developing a real affection for the remarkable old institution and for the people who labored for its greatness and glory.

This volume is all-inclusive. Professor Paschal gives the college its proper background in the larger picture of the State. He describes the development of the Baptist denomination in North Carolina and the gradual emergence of the idea that it needed a college, the founding of the Wake Forest Institute in 1834 and its conversion into a college five years later, its struggle

for money, its teachers and presidents, its board of trustees, its students in all their multifarious activities, and the alumni. The story is brought down to the end of the Civil War. Perhaps, the most interesting part of the book is concerned with student life. The two literary societies throve uncommonly and came near making themselves the most important part of the college. Wake Forest went through much the same sort of experiences that characterized the other Southern colleges and universities, whether sectarian or state-controlled. It is interesting to note that, running true to the other Southern colleges, its motive-power in its infancy was instilled largely by Northern teachers. Just as the University of North Carolina pointed to Princeton, and Georgia to Yale, Wake Forest was a sort of sprig out of Brown University. Unless Professor Paschal has toned down the vigor of his Wake Forest students, it is surprising how meek they were and regardful of rules, as compared with the University of North Carolina with its wild young lot, with the University of Georgia with its riots sometimes lasting all night, and even with Baptist Mercer with its violent assaults on the faculty.

Professor Paschal's sources of information are those normally to be expected in such a study: minute books of trustees, of faculty, and of literary societies; diaries; proceedings of Baptist organizations in the State; and newspapers. The *Biblical Recorder* is especially rich in college material, and the fact that it is as old as the college makes it invaluable. It is unfortunate that the book does not contain a bibliography, for the footnotes do not give complete information on all the sources cited.

Professor Paschal writes in a clear, straight-forward style, and has so organized his work as to make easy the omission of documents and lists which are valuable mostly for reference. There is no promise made that another volume is to follow, but it will undoubtedly be the hope of all who read the present work that Professor Paschal will continue his history to the present in another volume—and may he have as a reward for a prodigious amount of work well-performed, a diminution in the other tasks he has performed while writing this book.

E. MERTON COULTER.

UNIVERSITY OF GEORGIA,
ATHEN, GA.

Lucius Q. C. Lamar: Secession and Reunion. By Wirt Armistead Cate. (Chapel Hill: The University of North Carolina Press, 1935. Pp. xiii, 594. $5.00.)

In 1895 Edward Mayes wrote his long but uncritical *Lucius Q. C. Lamar: His Life, Times, and Speeches* (Nashville, 1896), which includes numerous letters, speeches, newspaper items, and anecdotes. Wirt Armistead Cate, with a more critical training and the advantage of a broader perspective, in his new life of Lamar has digested the Mayes material, made use of additional sources, and fitted his subject into a broader historical background. Probably he has adhered too closely to the older book. Frequently he quotes from it speeches and editorials which are accessible in the *Congressional Record* and the original newspapers. He has also neglected several important secondary accounts and manuscripts. Despite these defects, however, Mr. Cate has made a real contribution to the understanding and appreciation of Lamar and the cause which he championed. More than this, he has succeeded in producing an exceedingly interesting and attractively written biography.

The author effectively introduces his subject, and incidentally wins for his hero the sympathy of the reader, by portraying Lamar's epoch-making eulogy of Charles Sumner—a eulogy which is the key to this great Southerner's political accomplishments. Mr. Cate sketches rather rapidly Lamar's life prior to 1874—his important family connections; his happy childhood spent on a beautiful Georgia plantation; his college training at Emory and the significant contacts he made there with the college's president, Judge Longstreet; his early political and legal successes; and his gallantry as a Confederate soldier.

An ardent sectionalist prior to 1865, Lamar after the war became the "Great Peacemaker" between the North and the South. Accepting defeat in good grace, he withdrew in 1865 from public life to begin again his law practice and his teaching at the University of Mississippi, and to meditate on the proper course to pursue for redeeming the South. He was elected to Congress in 1872. Upon entering this body, he bided his time until he could gain a hearing. In 1874 upon the death of Sumner his opportunity came and he made the most of it. His praise of this arch-enemy of the South, his sense of fair play,

and his eloquent appeal for reconciliation won for him an audience in the North. Later he presented the South's complaint. Ever thereafter he preached Southern acquiescence in the constitutional amendments, sectional amity, and the right of self-determination of each state. More than any other leader, North or South, Lamar, according to Mr. Cate, brought the South back into good standing in the national councils.

Much of Lamar's success in this cause was due to his effectiveness as a speaker. In the Senate, in the House of Representatives, and on public lecture programs he usually won his forensic battles. Although fair and courteous to his opponents, he was an indomitable fighter when insulted or wronged. He humbled, to the satisfaction of friends and opponents, the "bully" Blaine and the arrogant Conkling. Respected by all, Lamar rose from post to post. During his life, he was a successful lawyer, popular college professor, state legislator, congressman, member of the Mississippi secession convention, diplomat, colonel, senator, secretary of the interior, and justice of the Supreme Court. But his greatest accomplishments were in Congress where he used his speaking ability and tact to great advantage.

In developing the story of Lamar's political successes, the author's enthusiasm for his hero is, at times, too strongly evident. Lamar wins in every contest. Moreover he is always right in every fight. Sometimes the author gives many quotations, usually taken from Mayes, to prove the greatness of Lamar and at the same time neglects things which seem to the reviewer more significant. In discussing the Supreme Court decisions, for instance, he fails to analyze Lamar's political philosophy as revealed in his decisions. Instead he is content to cite contemporary lawyers, jurists, newspaper editors, and later historians to prove the greatness of the decisions which Lamar wrote. In spite of these weaknesses and several slight errors of fact, Cate's study is an excellent piece of biographical writing.

HENRY T. SHANKS.

BIRMINGHAM-SOUTHERN COLLEGE,
BIRMINGHAM, ALA.

Black Reconstruction. By W. E. Burghardt Du Bois. (New York: Harcourt, Brace and Company. 1935. Pp. 746. $4.50.)

The thesis of this book, if one may venture to state it briefly, is that the Civil War, fought almost solely on account of slavery, resulted in the forced emancipation of the slaves by the unwilling North; that after the war Northern capitalists fearful of the increased political power of the South, forced an alliance with the abolitionists and genuine Democrats and established Negro suffrage in an extreme form which the abolition-democrats did not desire; that Negro suffrage, supported by military force, established a dictatorship of black labor; and that this dictatorship was remarkably successful until Southern landlords and Northern industrialists, arriving at a "bargain," arranged for the withdrawal of military force and the substitution of a dictatorship of capital for that of labor. Always property was the great malefactor.

This theme is elaborated and repeated at length throughout the book. It may be made clearer by brief quotations. The North, from the beginning, "never meant to abolish Negro slavery" and in the end fought for freedom only because "this preserved cotton, tobacco, sugar and the Southern market" (pp. 633-634). Emancipation was forced upon a reluctant North by the abolitionists, world opinion, and military necessity. To quote Lincoln: "Without the military help of black freedmen, the war against the South could not have been won." The author, in agreement, concludes that "In proportion to population more Negroes than whites fought in the Civil War" (p. 716).

At the end of the war, Stevens and Sumner planned for the South to be governed as an unorganized territory. The failure to do this was "chiefly because . . . the money-making financiers and organizers of a vast economic empire, hesitated at a government guardianship of labor and control of industry on a scale that might embarrass future freedom of exploitation, and certainly would increase present taxation" (p. 328). But when the South demanded "increased political power based on disfranchised Negroes, which it openly threatened to use for the revision of the tariff, for the repudiation of the national debt, for disestablishing the national banks, and for putting the new

corporate form of industry under strict state regulation and rule" (p. 185), Northern capital "had in self-defence to join with abolition-democracy in forcing universal suffrage on the South, or submit to the reassertion of the old land-slave feudalism" (p. 240).

While it had been "perfectly clear to Sumner and Stevens that freedom in order to be free required a minimum of capital in addition to political rights and that this could be insured against the natural resentment of the planters only by some sort of dictatorship" (p. 185), the alliance with Northern industry brought "a dictatorship of far broader possibilities than the North had at first contemplated. It put such power in the hands of Southern labor that, with intelligent and unselfish leadership and a clarifying ideal, it could have rebuilt society, confiscated and redistributed wealth, and built a real democracy of industry for the masses of men" (p. 580). The necessary leadership for this was lacking, partly because the military dictatorship "did not function successfully in the face of the Ku Klux Klan and especially because the appeal of property in the South got the ear of property in the North" (p. 583). The Negro's leaders did not have "any clear and distinct plan for the development of a laboring class into a position of power and mastery over the modern industrial state" (p. 612). The result was that Northern industry, no longer needing a dictatorship of labor because it had made peace with Southern capital, "began in 1876 an exploitation which was built on much the same sort of slavery which it helped to overthrow in 1863. It murdered democracy in the United States so completely that the world does not recognize its corpse" (p. 187).

Why this tragic result? In the last analysis it was due to the combined money power of the North and the South, behind which was the "American Assumption of wealth through thrift," and behind this was the fact that "Property involves theft by the Rich from the Poor" (p. 618). Unfortunately, too, "The abolition-democracy itself was largely based on property, believed in capital and formed in effect a powerful petty bourgeoisie. It believed in democratic government but only under a general dictatorship of property" (p. 595). Besides,

white labor, after the war as before, was unable to reconcile its interests with those of the Negro. The Southern black man and the Northern white man failed to support each other. And when after 1868 there was a revolt in the North against high finance, exploitation, and corruption, the revolters failed to see "allies in the dictatorship of labor in the South." The "small property-holders" who had reacted against corporations, and the "petty bourgeoisie" who had reacted against "a new economic monarchy," "joined Big Business in coming to an understanding with the South in 1876, so that by force and fraud the South overthrew the dictatorship of the workers" (p. 240).

Nevertheless, there had been in the South, for a few brief years, "one of the most extraordinary experiments of Marxism that the world, before the Russian revolution, had seen" (p. 358), presenting "an opportunity to study inductively the Marxian theory of the state" (p. 381, note). This "dictatorship of labor," "with its establishment of democratic control over social development, education and public improvements, succeeded only at the expense of a taxation on land and property which amounted to confiscation" (p. 622), a result which the author does not seem to lament. In another place he implies that other property as well as slaves might rightly have been confiscated and redistributed (p. 595). Not only did the Negroes, "according to their training and experience and particularly according to their economic condition," do "extraordinarily well" (p. 577) as dictators, but their failure, if one must concede that, was because property, in its systematic attack upon labor, "deliberately encouraged extravagance, graft and bribery, so as to hasten the downfall of the labor régime." In addition, property, not the Radical legislatures, "utterly upset the credit of the state, so as to prevent the new state from importing capital" (p. 409). "The reactionary planters . . . encouraged lawlessness among poor whites, extravagance among carpetbaggers and bribery among Negroes. They deliberately befouled the whole political nest in order to discredit its rulers and voters" (p. 523). Dr. Du Bois, it is clear, has no difficulty in placing the blame for the evils of Reconstruction!

There is not space to indicate the author's opinion of the

planter class, nor may one undertake a detailed analysis of the above thesis. The reviewer thinks, however, that the whole assumption that there was ever a dictatorship of the worker in the South is false. Nor is it necessary to deny the validity of recent scholars' conclusions on the economic forces at work during Reconstruction in order to hold that an industrial North would never have willingly established a dictatorship of the proletariat, even for a temporary purpose. It would be far more correct to say that there was a dictatorship of the Republican North *through* the proletariat. There was more for the North to fear from the South in 1876 than in 1866. Dr. Du Bois's economic interpretation of Reconstruction fails to take into account the emotional reaction of Southern whites to the rule of former slaves and their allies. He gives the Northern capitalists credit for a far-sightedness which they probably never possessed.

The author has tried unsuccessfully to combine an authentic history with a thesis on the class struggle. His facts on Reconstruction are fairly well buttressed, mainly by reference to secondary works, but this is not true of his economic theme. Historians will find many of his generalizations open to question. For example, the reference to the "almost unbridled power of Andrew Johnson" (p. 580); the statement that "the South had always been able by mere gesture of concession to bring Northern industry to its knees begging" (p. 186); and that as a result of the intermixture of races "to this day it is difficult in Louisiana to draw the line between the races" (p. 453). The statement that "A slave could have no access to the judiciary" is certainly misleading (p. 10), and a confusion of names makes the author say that William T. Sherman was at Port Royal in October, 1861 (p. 59).

Essentially Dr. Du Bois is a latter-day Abolitionist who would free the Negro from the economic bondage of the Southern planter and the Northern industrialist—not only in America but throughout the world. The rebuilding of the capitalistic world "will and must go back to the basic principles of Reconstruction . . . Land, Light and Leading for slaves black, brown, yellow and white, under a dictatorship of the proletariat" (p. 635). In America the black man "will enter modern civilization

. . . on terms of perfect and unlimited equality with any white man, or he will enter not at all. Either extermination root and branch, or absolute equality. There can be no compromise. This is the last great battle of the West" (p. 703).

Readers of this journal will be interested in the observations contained in Dr. Du Bois's last chapter, "The Propaganda of History," where he reaches the conclusion that "With a determination unparalleled in science, the mass of American writers have started out so to distort the facts of the greatest critical period of American history as to prove right wrong and wrong right" (p. 725). "Rhodes was primarily the historian of property" (p. 718), Burgess "a Tory and open apostle of reaction" (p. 719); and most of the studies on Reconstruction produced at Columbia and Johns Hopkins "are thoroughly bad." Fleming's "study of Alabama is pure propaganda" (p. 720). Other books "are openly and blatantly propaganda . . . especially those by Ulrich Phillips" *(loc. cit.)*. "Burgess was a slaveholder, Dunning a Copperhead and Rhodes an exploiter of wage labor" (p. 726). Largely on account of their influence, the Negro race has faced "one of the most stupendous efforts the world ever saw to discredit human beings, an effort involving universities, history, science, social life and religion" (p. 727).

One may hazard the thought that in any case all the truth is not on one side; neither are the prejudices of historians.

R. H. Woody.

Duke University,
Durham, N. C.

Pro-Slavery Thought in the Old South. By William Sumner Jenkins. (Chapel Hill: University of North Carolina Press. 1935. Pp. xl, 381. $2.50.)

In 1860 E. N. Elliott, president of Planters' College in Mississippi, published *Cotton Is King and Pro-Slavery Arguments*, a symposium in defense of Negro slavery. Since that time, so far as the reviewer is aware, no American historian has attempted to assemble and to synthesize the vast body of literature which formerly appeared in defense of American Negro slavery. It is to such a task that Professor Jenkins has address-

ed himself. *Pro-Slavery Thought in the Old South* represents an attempt by a competent scholar to sift and to coördinate from a wide field every serious argument bearing on the institution of Negro slavery in the United States. Dealing exclusively with domestic slavery, and without passing judgment upon the merits of the arguments presented by the respective disputants, the author has examined and analyzed critically the entire range of partisan literature with chief emphasis, as the title suggests, upon the elaborate case prepared by the counsel for the defense.

After considering the various theories regarding the origin of slavery, Professor Jenkins, with a wealth of legal knowledge, proceeds to trace the growth of pro-slavery thought in the Old South. Beginning with a few broadsides for and against slavery in the colonial period, based largely upon the theory of natural rights, the slavery controversy remained comparatively quiescent until about 1820 when the protagonists of slavery developed the "positive-good" theory. Dr. Jenkins shows that, with the onset of abolitionism, advocates of the "positive-good" theory became more militant, supporting their theory with arguments drawn from the scriptures, ethnology, moral philosophy, natural philosophy, political science, and economics. The best minds of the South were enlisted in the attempt to justify Negro slavery as a benevolent and natural social arrangement. The author takes occasion to point out (p. 77) that the "positive-good" theory of slavery antedates the abolition movement, a fact which has been generally overlooked by historians.

Professor Jenkins is especially happy in his discussion of "Theories of the Slave Institution" (Chapter III) and "The Moral Philosophy of Slavery" (Chapter V). The reviewer, however, is not convinced that the author has given due prominence to the mud-sill theory as expounded by Hammond, Harper, Calhoun, and others. The positive benefits which, it was alleged, would accrue to the superior white race as a result of the exploitation of the labor of a menial class, should have been set forth, it seems, in greater detail.

In connection with colonial protests against slavery, it would be interesting to ascertain why the freeholders of Rowan County, North Carolina, used identically the same phraseology in de-

nouncing the African slave trade as did the freeholders of Prince George County, Virginia, in 1774 (p. 31). The resolution of the freeholders of Rowan County is found in the *Colonial Records of North Carolina* IX, 1046.

A few errors have crept into the volume. The Charleston Insurrection occurred in 1822 instead of 1820 (p. 65); the statement attributed to James H. Hammond (p. 79) could not have been made in 1838, as Hammond was not in Congress at that time; Dr. S. A. Cartwright was from Louisiana, not Mississippi (p. 206). As there were two prominent divines by the name of Furman in South Carolina in the ante-bellum period, it would be well to identify the Dr. Furman quoted on page 211.

In some places the phrasing could be improved; but, on the whole, the style is competent.

The author is to be complimented on the extensive use he has made of the large amount of pamphlet material, tedious gleanings from a broad field. While recent secondary sources have been somewhat neglected, contemporary sources have been utilized with excellent results. The volume, dedicated to Dr. W. W. Pierson of the University of North Carolina, should take high rank in the literature of slavery.

Rosser H. Taylor.

Furman University,
Greenville, S. C.

HISTORICAL NEWS

Dr. Thomas W. Lingle, professor of European history at Davidson College, spent the summer of 1935 studying conditions and conferring with educational and political leaders in Jugo-Slavia, Bulgaria, Roumania, Hungary, and Poland.

Misses Vera Largent and Bernice Draper of the Department of History and Political Science of the Woman's College of the University of North Carolina have been promoted from the rank of assistant professor to that of associate professor. Miss Kathrine Moser has been appointed instructor in the same department.

Professor Harriet Elliott of the Woman's College of the University of North Carolina, who was on leave during the spring semester of 1935 doing educational work for the Women's Division of the Democratic Party, has returned to the college and assumed the duties of Dean of Students. She continues to offer one course in the Department of History and Political Science.

Dr. Loren C. MacKinney, professor of mediæval history in the University of North Carolina, will be on Kenan leave from January to September, 1936, for the purpose of studying medical manuscripts of the middle ages in France, Italy, and England.

Mr. Robert D. Meade, instructor in history in the University of North Carolina, received the Ph.D. degree at the University of Chicago in August, 1935. The subject of his dissertation is "Judah P. Benjamin and the American Civil War."

Mrs. Sadie S. Patton is publishing in *The Western Carolina Tribune* (Hendersonville, N. C.) a series of articles under the title "Henderson County in Other Days."

Dr. B. B. Kendrick and Dr. A. M. Arnett of the Department of History and Political Science of the Woman's College of the University of North Carolina published last fall a volume, *The South Looks at its Past* (University of North Carolina Press).

Clarence Griffin of Forest City, N. C., is arranging to publish his History of Old Tryon and Rutherford Counties, 1730-1935.

The typescript fills approximately 1,000 pages and has required fourteen years for completion. Publication will be on a subscription basis, and is contingent on securing at least 150 subscribers. The price will be $10.00.

Dr. Carl H. Pegg of the Department of History of the University of North Carolina read a paper entitled "A New Introductory Course in the Social Sciences" to a section of the Southern Historical Association in Birmingham, October 28.

The Rev. William L. Sherrill has been publishing in the *Lincoln Times*, beginning June 27, 1935, a series of articles entitled "The Annals of Lincoln County, North Carolina," covering the period from 1750 to 1935. The author hopes later to bring forth these articles in book form.

In the *Bulletin of the New York Public Library*, September, 1935, is an article on Francis Xavier Martin by Edward Laroque Tinker.

Dr. J. C. Russell, assistant professor of history in the University of North Carolina, and Dr. J. P. Heironimus, assistant professor of classics in the University of Wisconsin, brought out in the fall of 1935 *The Shorter Latin Poems of Master Henry of Avranches Relating to England*, published by the Mediæval Academy of America.

Dr. Archibald Henderson of the University of North Carolina is the author of a series of articles on North Carolina history, published in the Raleigh *News and Observer* and other State papers, on the following subjects and dates: Joseph Hewes, August 11, 1935; Alexander Martin, August 18; Dr. Ashbel Smith, August 25; Jefferson Davis, September 1; William Kennon, September 8; William Kennon and the authorship of the May 30 Mecklenburg Resolves, September 15; dueling, September 22; Willie P. Mangum, October 6; William Kennon as a Revolutionary officer, October 13; Daniel Boone, October 20; David, Nathaniel, and Thomas Hart, October 27; John Sevier, November 3; Evan Shelby, November 10; Andrew Johnson's administration, November 17; William Byrd and the *History of the Dividing Line*, November 24.

On October 2 the Lafayette Chapter of the Daughters of the Revolution unveiled a tablet in front of the Raleigh city auditorium commemorating the visit of Lafayette to Raleigh in 1825. Mr. Robert B. House, dean of administration in the University of North Carolina, was the guest speaker.

On October 12, at Boonesboro, Kentucky, the Transylvanians, a patriotic society founded in 1929, held a celebration commemorating the founding of the Transylvania Company. Dr. Archibald Henderson was one of the speakers.

On October 19, memorial exercises were held at the grave of General Robert E. Lee's daughter, Ann Carter Lee, in Warren County. Mr. Howard F. Jones of Warrenton presented to the North Carolina Chapter, United Daughters of the Confederacy, the area in which the grave is located. Dr. George Bolling Lee, grandson of General Lee, was the guest of honor.

On October 28 a tablet was unveiled at St. John's Church in Vance County, commemorating the founding of the church in 1746. The tablet was erected by the North Carolina Society of Colonial Dames.

The North Carolina Archæological Society held its semi-annual meeting on October 5, at the George Vanderbilt Hotel in Asheville. Dr. Wallace E. Caldwell, professor of history in the University of North Carolina, was reëlected president. Other officers elected were: vice-president, Rev. Douglas L. Rights, Winston-Salem; secretary-treasurer, Dr. Guy B. Johnson, Chapel Hill; editor of the society's bulletin, Dr. Sanford Winston, Raleigh.

The North Carolina Division, United Daughters of the Confederacy, held its thirty-ninth annual convention in Winston-Salem on October 16-17. For the ensuing year Mrs. Robert E. Ridenhour, Concord, was elected president, and Mrs. L. E. Fisher, Asheville, first vice-president. The 1936 meeting will be held in Durham.

The thirty-fifth annual session of the State Literary and Historical Association of North Carolina was held at the Sir Walter Hotel in Raleigh, Thursday and Friday, December 5-6. On

Thursday evening, after the invocation by Rev. P. D. Miller of Raleigh, Professor Phillips Russell of the University of North Carolina, president of the Association, delivered the presidential address, and Attorney-General A. A. F. Seawell, substituting for Governor J. C. B. Ehringhaus, delivered an address on the Constitutional Convention of 1835—thus celebrating this centennial. A reception to members and guests of the Association, the North Carolina State Art Society, and North Carolina Folk-Lore Society followed. At the Friday morning session papers or talks were presented on "Problems of North Carolina Cotton Manufacturers before 1860," by Mrs. Lucius A. Bigelow of Durham; "Explorations, Maps, and Names of Early Carolina," by Professor W. P. Cumming of Davidson College; and "North Carolina Books and Authors of the Year," by Professor Benjamin F. Sledd of Wake Forest College. The following officers were elected for the ensuing year: William T. Polk, Warrenton, president; Frazier Hood, Davidson, first vice-president; Mrs. Julia Cherry Spruill, Chapel Hill, second vice-president; Paul Rockwell, Asheville, third vice-president; C. C. Crittenden, Raleigh, secretary. The final session of the Association was held in the Needham B. Broughton High School Auditorium on Friday evening. Dr. M. C. S. Noble announced the Mayflower Cup award for 1935 and presented a replica to the winner, Mr. James Boyd of Southern Pines, whose book, *Roll River*, was adjudged the best original work by a resident North Carolinian during the year ending August 31. The Board of Award consisted of the president of the Association and the heads of the departments of history and English at State College and Wake Forest College.

The twenty-fourth annual session of the North Carolina Folk-Lore Society was held at the Sir Walter Hotel, Raleigh, Friday afternoon, December 6. Dr. D. T. Smithwick of Louisburg delivered the presidential address on "Folk-lore and Its Relation to History." Papers were presented on "Whose Pronunciation is Right?" by George P. Wilson, Greensboro; "Some North Carolina Ghost Stories," by Nell Battle Lewis, Raleigh; and "Philosophies of the Blue Ridge: A Study in Ecology," by Thomas P. Harrison, Raleigh. For the ensuing year the following officers were elected: president, D. T. Smithwick, Louisburg;

vice-presidents, Adelaide L. Fries, Winston-Salem, Nell Battle Lewis, Raleigh, and George P. Wilson, Greensboro; secretary, Frank C. Brown, Durham.

The North Carolina State Art Society held its annual meeting at the Sir Walter Hotel, Raleigh, December 4-5. On the evening of December 4, Mrs. Katherine P. Arrington of Warrenton delivered the presidential address. Attorney-General A. A. F. Seawell, substituting for Governor J. C. B. Ehringhaus, spoke briefly, and Miss Brenda Putnam of New York gave a sculpture demonstration. The Society opened its public exhibition of paintings by New England artists and the North Carolina Professional Artists' Club. At the business meeting on December 5 the following officers were elected for the ensuing year: honorary president, Governor J. C. B. Ehringhaus; president, Mrs. Katherine P. Arrington; vice-presidents, Mrs. Walter L. Williamson of Wilmington, Mrs. Harold C. Dwelle of Charlotte, and Mrs. John D. MacRae of Asheville; secretary, Mrs. Corinne McNeir of Chapel Hill; treasurer, Mrs. James H. Cordon of Raleigh; chairman of the executive committee, Clarence Poe of Raleigh.

Sponsored by the Sacred Heart Cathedral of Raleigh, a William Gaston centennial celebration was held on the evening of December 10 at the Woman's Club in Raleigh. The speakers were Senator Josiah W. Bailey, Right Reverend Monsignor Peter M. Guilday, professor of history in the Catholic University of America, and Most Reverend William J. Hafey, Bishop of Raleigh.

CONTRIBUTORS TO THIS ISSUE

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THE CHILD-LABOR PROBLEM IN NORTH CAROLINA, 1883-1903

By ELIZABETH HUEY DAVIDSON

The growth of cotton manufacturing was the first cause of the appearance of child labor in industry in North Carolina. The development of the textile industry on a large scale began about 1880, and within a few years bills proposing to limit hours of labor or to regulate the employment of women and children began to be introduced in the legislature. Such measures, however, were not proposed by representatives of the counties where manufacturing was so rapidly becoming a matter of importance, but rather by men from the eastern, non-industrial section.[1]

In 1887 a state bureau of labor statistics was created with a commissioner whose duties were to "collect information upon the Subject of labor its relation to capital the hours of labor, the earnings of laboring men and women, their educational moral and financial condition and the best means of promoting their mental, material, social and moral prosperity."[2] North Carolina was the first industrial state of the South to have such a bureau, and the only one until well into the twentieth century. Its reports gave information on labor conditions which was not available elsewhere.

The first commissioner of labor, W. N. Jones, devoted a considerable portion of his first annual report to the consideration of the cotton mill industry. Questionnaires were sent to the officials of the cotton mills, but only a portion of them made re-

[1] *Legislative Papers*, (Bills, Petitions, etc.), Manuscripts in the North Carolina Historical Commission archives; *Legislative Papers*, (House Bills Left on calendar), *1887; Journal of the House of Representatives of the State of North Carolina, at Its Session, 1887*, pp. 208, 276, (hereafter this will be cited as *House Journal); Journal of the Senate of the General Assembly of the State of North Carolina at its Session, 1887*, pp. 21, 52, 62, 73, 77, (hereafter this will be cited as *Senate Journal*).

[2] *Legislative Papers, 1887.*

plies. Jones attributed this failure to the fact that they did not understand the purposes for which the information was to be used, or that they did not sympathize with the objects of the Bureau.[3] One reason for the lack of sympathy was that the questionnaires endeavored to gather statistics on the number of children employed and the hours of labor. The report published the statements of both employers and employees on conditions in their mills. The manufacturers emphasized the advantages which the mills offered in the way of education, churches, and good moral environment. A number avoided making any statement on the question of child labor. An employer in Alamance County said that he preferred not to employ children under fourteen because they did not work well, but that parents threatened to leave the mill if employment were not given children. He had forty-eight "youths and children" in his employ eleven hours a day, as compared with forty-two men and fifty-five women. Another employer would take no children under twelve who could not read and write. In Durham where a manufacturer reported that his operatives were satisfied with conditions, an employee stated that about a hundred of the two hundred and twenty-five or fifty hands were children, many of them under twelve; that wages were not paid in cash; and that the work day was twelve hours. An employee in Randolph County believed that the mills hired "many children who are too small to work," but added that "the parents are more to blame than the mill-owners." In Gaston County a manufacturer reported thirty men, thirty women, and fifteen children in his employ, while an employee spoke of the mill running day and night, paying in trade checks, and long hours which destroyed the health of the young women. Also he said, "The employment of children in our mills at low wages keeps a great many men out of employment."[4]

For a number of years the Bureau of Labor Statistics continued to gather information in this way, although only fifteen per cent of the mill officials replied.[5] The opinions offered on the question of the employment of children varied widely, but

[3] *First Annual Report of the Bureau of Labor Statistics of the State of North Carolina for the Year, 1887*, p. 139. (Hereafter these reports will be cited as *First Annual Report, 1887*, or *Second Annual Report, 1888*, etc.)

[4] *Ibid.*, pp. 148-152.

[5] *Ninth Annual Report, 1895*, p. 60.

the general trend was for the mill men to assert their disapproval of such employment in theory but their inability to avoid it in practice, because of the attitude of the parents. Likewise a number of them declared their approval of a ten-hour day, although their own mills operated longer. They often admitted that they believed mill labor to be physically harmful to the child, or eleven and twelve hours too long for a working day. They sometimes suggested that legislation might remedy the situation.[6] Employees expressed similar views. But they pleaded the necessity of poverty as the reason for putting the children to work.[7]

The investigations of the commissioner caused some uneasiness on the part of the manufacturers.[8] The opinions published were those of men kindly enough disposed toward the bureau to report in response to its questionnaires. The large majority did not do so. In 1894 parts of the statistics were collected through personal interviews by an agent of the commissioner. The agent had some difficulty in persuading mill officials to give him the information desired, although his report presented the case in a light favorable to the employers. According to his findings, children as young as six were working as many as twelve and a half hours a day, but the mill owners generally were humane men who did not expect children to do an adult's work for child's wages. Thriftless fathers forced the children into some mills in opposition to the wishes of the owners, while a number of establishments were doing away with child employees. There was protest against the ten-hour day because of the fear that it would cause many of the mills to close or would lead to a corresponding reduction in wages. A compulsory-education law was recommended as a sort of panacea.[9] When asked at what age full-time employment should be permitted, employers gave answers ranging from ten to eighteen years, though over half of them refused to commit themselves. By far the larger number of those who did make replies favored age limits at twelve or

6 *Fourth Annual Report, 1890,* pp. 34, 48, 50, 51, 53.
7 *Ibid.,* pp. 82, 83, 89; *Fifth Annual Report, 1891,* pp. 167, 169, 172, 174, 180, 181, 186.
8 *Fourth Annual Report, 1890,* pp. 17-19; *Fifth Annual Report, 1891,* p. 123.
9 *Eighth Annual Report, 1894,* pp. 67-72.

fourteen, but less than twenty-five per cent of the three hundred and sixty-eight employers questioned favored limitation by law.[10]

The reluctance of employers to have child labor made a subject of legislation was due in part to fear of any interference between labor and capital. One secretary-treasurer said in 1895, "Don't meddle with mill employees and employers, but if you must, then pass a law prohibiting children under 14 years from working in Cotton and Woolen Mills and *all other* manufacturing establishments."[11] Another official thought that the laborers did not need or want any legislation, and that most of the criticism of conditions came from "the self-constituted champion of the 'poor down trodden' mill hand, the little aspiring politician, and others of his ilk, who, in the absence of honest labor for themselves, undertake to run the affairs of others."[12] A more moderate but equally frank statement came from an employer in Raleigh: "We think all the mills should run not over eleven hours a day and avoid, if possible, taking children under twelve or thirteen years, but we deem legislation on the subject bad policy; let the employer and the employee settle these things, this is a free country for all."[13]

During the years in which the commissioner of labor was trying to build up a feeling favorable to child-labor regulation and a ten-hour day, there were continued efforts to secure legislation on these subjects. None of the bills had sufficient backing by public opinion or support from an organization necessary to push it through the legislature. In 1889 a bill for a ten-hour day was combined with a provision to prohibit the employment of children under twelve years of age,[14] but it was postponed indefinitely. In 1891 the bills again combined the idea of regulating child labor and the hours of labor in the same measure. One was introduced providing that no woman and no child under sixteen should work as an operative in a cotton or woolen manufacturing establishment for more than sixty hours

[10] *Eighth Annual Report, 1894*, pp. 4-51.
[11] *Ninth Annual Report, 1895*, p. 64.
[12] *Ibid.*, p. 66.
[13] *Ibid.*, p. 71.
[14] *House Journal, 1889*, pp. 321, 333, 625.

a week or an average of ten hours a day.[15] Another proposed to make ten hours a legal working day in factories and shops; to require that salaries be paid in lawful money as often as twice a month; and to prevent the employment of children under twelve in factories and shops. This bill which embodied three of the demands made by employees in the annual reports to the bureau of labor was referred to the Committee on Propositions and Grievances, and unfavorably reported.[16]

In 1893 similar bills were introduced in the House. One asked that any employer who permitted a child under fourteen to work in a factory or workshop more than ten hours a day should be subject to a fine of fifty dollars or thirty days imprisonment.[17] A similar bill to prohibit the employment of women and minors more than eleven hours a day in cotton and woolen mills was favorably reported by the Judiciary Committee.[18] It was delayed from week to week, and received the opposition of some of the manufacturers. A petition signed by the employees of a certain mill declared that the bill was against the interests of both the owners and operatives of manufacturing enterprises.[19] Other people argued that to exclude women and children from labor was worse than to allow them to be overworked and paid well. To pass the bill would shut out capital and close the doors of factories.[20] The opposition attempted several amendments, and the bill was voted down by a ballot of thirty-six to fifty-three.[21]

In 1895 the legislative contest was reopened. In the House Virgil S. Lusk, a Republican from Buncombe County and former district attorney for the Western District of North Carolina, presented a bill to regulate hours for women, children, and others in factories.[22] In the Senate, Warren Carver of Fayetteville presented a bill to regulate hours in cotton mills.[23] When it became evident that the Senate bill would not pass,[24] Carver intro-

[15] *Legislative Papers* (Bills left on House Calendar), *1891;* also *House Journal, 1891,* p. 342.
[16] *Legislative Papers,* (Bills left on Calendar, Senate), *1891; Senate Journal, 1891,* pp. 724, 794.
[17] *Legislative Papers, 1893; House Journal, 1893,* p. 125.
[18] *House Journal, 1893,* pp. 201, 304; *Legislative Papers, 1893.*
[19] *Legislative Papers,* (Petitions), *1893; House Journal, 1893,* p. 475.
[20] *The News and Observer,* (Raleigh, N. C.), Feb. 17, 1893.
[21] *House Journal, 1893,* pp. 498-501; *The News and Observer,* Feb. 18, 1893.
[22] *House Journal, 1895,* p. 116.
[23] *Senate Journal, 1895,* p. 85.
[24] *Ibid.,* pp. 93, 129, 142.

duced a second bill which was referred to a committee, but it was unfavorably reported and was defeated by a tie vote.[25] In the House a petition was presented from the operatives of Mooresville Cotton Mills stating that "we . . . do hereby enter our protest against the Lusk or any other bill that interferes with the present conditions of operatives and do earnestly and humbly ask your Hon Body not to pass such Law."[26] Another petition from five Charlotte workers declared that petitions against the regulation of hours were signed only by workers who were ignorant and unaware of the real contents of the paper they signed, or who were afraid of losing their jobs if they failed to do so.[27] Like all the others, the Lusk bill failed to pass. Legislative committee reports were generally unfavorable, but in one instance a minority of two asked that hours be limited to eleven a day and that children under twelve be excluded from mill work in "justice to the employees."[28]

The issues of child labor and shorter working hours were combined in almost every bill presented in the legislature, and they were joined in any discussion of the labor problem. The consideration was frequently not to exclude child labor from the mills entirely, but to shorten the hours so as to make the burden of the work lighter.[29] The attitude that the mill officials continued to take was that they did not approve of child labor under fourteen, but that the parents forced it upon them, and that compulsory education was the real need of the day. The general trend of opinion was in opposition to legislation touching any labor problem. The relationship of employer and employee was regarded as a personal one, and any laws endeavoring to regulate it would be unjustifiable interference.[30] A manufacturer advised the state to let the mills alone, and help the people who needed it, instead of "our well-dressed and well-fed young ladies and gentlemen in our cotton mills."[31]

While there were some of the laboring class who saw the bad

[25] *Senate Journal, 1895,* pp. 186, 473, 502.
[26] *Legislative Papers,* (Petitions), *1895.*
[27] *Ibid.*
[28] *Legislative Papers,* (House Bills, Failed to Pass), *1895.*
[29] *Tenth Annual Report, 1896,* pp. 74, 75, 79, 194, 196, 197.
[30] *Ibid.,* pp. 69-78; *Thirteenth Annual Report of the Bureau of Labor and Printing of the State of North Carolina for the Year, 1899,* pp. 231, 232, 233, 245, 248, 249.
[31] *Thirteenth Annual Report of the Bureau of Labor and Printing of the State of North Carolina for the Year, 1899,* p. 249.

effects of employment on small children and who expressed themselves in opposition to it, there were also many who showed utter indifference or hostility to change. The agent of the labor commissioner found that, while a number of mills voluntarily set fourteen as the minimum age for operatives, many parents would make false statements as to the ages of their children so as to secure employment for them. They argued that, if they raised the children to the age of ten or twelve, they should begin to get money back on their investment. If the children went to school, they would probably marry before going to work; and the parent would lose all he had spent.[32]

In the decade before 1900 labor unions had little hold in North Carolina, but their views may have spread among a few of the workers. In any case a small number of the laboring population combined with the few from the upper classes who were beginning to interest themselves in social welfare problems. The humanitarian element began to gain ground slowly. The *Biblical Recorder,* a Baptist publication at that time under the editorship of J. W. Bailey, was not averse to expressing views on all current topics. The editor roundly condemned existing conditions under which children were "dwarfed in body and in mind for the purpose of helping a drinking father or even increasing the value of shares in a mill." He declared that "a professional friend of the people" had recently opposed a bill for restricting the hours of labor for children because he was a stockholder in a mill, "determined to make it pay though the life of the children be squeezed out to do it." But even such a critic of the child labor system did not see his way clear to demand its complete abolition.

> In the first place, factories ought not to be allowed to employ very young children; and in the next place, the school house and the factory should be close together and all children under fifteen years of age allowed to work four hours per day only and compelled to put four hours in school. Such a system would save greed, grasp, gain, gold and selfishness from making capital out of the lives of children, while it would afford some manual training to the young and not neglect their mind.[33]

Bailey condemned the father who moved to town to put his children to work in the factories and the mill owners who made it

[32] *Tenth Annual Report, 1896,* pp. 61-62.
[33] *Biblical Recorder,* (Raleigh, N. C.), Jan. 6, 1897.

possible for him to do so. "Compulsory education is the remedy for this; but if that is impossible, all the manhood and womanhood of North Carolina should demand that the State protect her children with proper laws."[34]

Not only the child-labor evil but the general bad conditions of poverty, ignorance, and lack of wholesome environment began to cause concern to other thoughtful people. In 1899 the *Presbyterian Standard,* always conservative in its attitude on secular matters, began to take an interest in the problem. It was published in Charlotte, the center of the textile industry of the State; and Alexander J. McKelway, a Presbyterian preacher who was afterward prominent as an agent of the National Child Labor Committee, was its editor. Although the *Standard* did not begin to publish editorials dealing directly with child labor conditions in the South until after 1901, when Edgar Gardner Murphy of Alabama had pointed the way to reform for all the editors of the South, it did take a general stand in favor of legislation. "Would it not be better for the pressure of public opinion to be brought to bear on our law-makers, whereby the principle could be put into law that life is more sacred than luxury, and the convenience of the many shall not be purchased by the sufferings of the few."[35]

In 1897 there was an effort to put through a bill for regulation of hours in factories, but it got no further than had its predecessors.[36] One step in progress was made when a mining act forbade the employment of boys under twelve.[37] This phase of the child-labor problem never assumed great importance in the South, however, since children were not employed to a great extent in the Southern mines and the mining companies did not fight legislation on the subject.

Political events in North Carolina took a new turn in 1897 when a fusion of the Republicans and Populists brought the Democratic power to an end for a term. Factional issues and problems of the years preceding received scant attention, as

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[34] *Biblical Recorder,* (Raleigh, N. C.), May 12, 1897.
[35] *The Presbyterian Standard,* (Charlotte, N. C.), Sept. 28, 1899.
[36] *Senate Journal, 1897,* pp. 139, 211.
[37] *Public Laws and Resolutions of the State of North Carolina . . . Session of 1897,* Chap. 251.

the new government had other interests. A new commissioner of labor and printing reported in 1899 that the number of children in the mills was decreasing and the number of men increasing. He pointed to the growing sentiment in favor of compulsory education and the voluntary adoption of a twelve-year age limit by some of the mills as an indication of improvement.[38] The figures showing statistics in these reports can scarcely be considered accurate because they were never complete. There were only two men to do this work, and their financial resources were scant. The manufacturers who did not coöperate in the collection of statistics were left out of count.

The awakening of interest on the part of the humanitarians led them to separate the idea of child-labor legislation from the general labor problem of regulation of hours, and instead to associate it with the demand for compulsory education. But with the mill owners the feeling that child labor should not be made the subject of legislation was definitely linked to their hostility to organized labor. This was as marked in North Carolina as in the other industrial states, and it was exceedingly difficult for operatives in any of the manufacturing industries to form unions and keep them running successfully. There were people in the State who were interested in promoting such organization; but when laborers organized, they met opposition and possibly lockouts.[39] These difficulties seemed insurmountable for the time being. W. H. Winn, one of the most active organizers of the American Federation of Labor in the South, wrote to President Gompers that the situation in the Carolinas was unique in that there were many isolated mills. He was of the opinion that the people were not yet ready to receive organized labor.[40] Because of these circumstances the movement for child-labor reform did not have the open support of a state labor organization or even of any strong local union.

The mill owners of North Carolina had little reason to complain that the demands for child-labor legislation were being

[38] *Thirteenth Annual Report of the Bureau of Labor and Printing of the State of North Carolina for the Year 1899*, p. 211.

[39] W. W. Jones to Aug. McCraith, N.D. in American Federation of Labor Building, Washington, D. C., Letter file, box 51 (hereafter this will be cited as A. F. of L.); A. W. Rounds to Morrison, Jan. 31, 1899, *ibid.*, box 153; C. P. Davis to Gompers, June 11, 1901, *ibid.*, box 236; C. P. Davis to Gompers, Oct. 6, 1900, *ibid.*, box 223; J. Milton Howard to Morrison, June 12, 1900, *ibid.*, box 168; *Charlotte Daily Observer*, Aug. 12, 1900.

[40] W. H. Winn to Gompers, Jan. 26, 1899, A. F. of L., Letter file, box 150.

made as a step toward other labor laws. Some people turned to the mill men in the expectation that they would see and grasp the opportunity to frame a law with provisions to their liking that would satisfy the growing popular demand for reform and thereby strengthen their own leadership. One of the advocates of reform wrote:

> I believe that the time has come when remedial legislation should no longer be considered as a scheme to hurt those who are making the South great materially, but when the owners with the operatives and those who have no personal interest except the well-being of both should get together and decide upon a bill that will meet the demands of the time. . . . The operatives and philanthropists are not well enough organized to secure the passage of this law if the mill owners solidly unite against it. It is perfectly useless to say that the operatives don't want it. There are only two classes of operatives that would oppose it —those who want to work their little children, and those who are under the influence of higher authorities who may be opposed to it, and are overpersuaded by them. . . . Nothing could be done that would be so effective in maintaining the pleasant relationship that now exists between owner and operative as for a mill owner to propose an acceptable bill, and for the others to acquiesce.[41]

In the same spirit the Raleigh *News and Observer,* edited by Josephus Daniels and favorable to child-labor legislation, wrote, "It would be short-sighted policy for the mill men to fight against proper legislation, and it is gratifying that many of them see that it is necessary and proper. If they will lead the way, wise and conservative laws will be enacted that will help the great industry which they represent."[42]

In 1901 the Democrats regained control of the government of North Carolina. This meant that the white people of the State would eliminate Negro suffrage. Charles B. Aycock was elected governor. He was one of the group of educational reformers of which Charles D. McIver and James Y. Joyner were also members. One of his campaign pledges was to promote a system of public-school education throughout the State for both Negroes and whites. Such a program would inevitably meet much opposition, but the governor lost no time in urging legislation along this line. The child-labor agitation that had continued since the

[41] *The Charlotte Observer,* Aug. 12, 1900.
[42] *The News and Observer,* Jan. 11, 1901.

last session of the legislature became stronger; and, with the opening of the session of 1901, a bill to regulate labor was again introduced in the House of Representatives.[43] The manufacturers felt that some action was necessary. It was evident that a great many of them opposed legislation, and yet they could not fail to take notice of the growing demand. A meeting to consider the problem of labor and the proposed law was held in Greensboro. Although *The News and Observer* reported that from "the utterances of the manufacturers it was evident that they were not opposed to wise, conservative legislation along this line," they failed to recommend a child-labor law, saying that it would work a greater hardship on the employees than on the owners.[44] Instead they drew up a voluntary agreement and petition which was submitted to the legislature.

We, the undersigned cotton mill owners and managers agree to the following, taking effect March 1st, 1901:

(1.) That one week's work shall not exceed sixty-six hours.

(2.) That no child less than 12 years old shall work in a cotton mill during the term of an available public school.

Provided this shall not apply to children of widows or physically disabled parents. Provided further, that ten years shall be the lowest limit at which children may be worked under any circumstance.

(3.) That we will co-operate with any feasible plan to promote the education of the working people in the State and will cheerfully submit to our part of the burdens and labors to advance the cause of general education.

(4.) On the basis of the above agreements of the cotton mill owners and managers we hereby petition the legislature not to pass any labor laws at this session of the legislature.[45]

This petition had the names of over one hundred and twenty-five men representing more than one hundred and seventy mills. The terms were distinctly a compromise. Instead of the ten-hour day demanded by some reformers was an offer of eleven hours. The twelve-year age limit was set up only during the period when school was in session, which was only a few months

[43] *House Journal, 1901*, p. 19.
[44] *The News and Observer*, Jan. 10, 11, and 17, 1901.
[45] *Legislative Papers*, (Bills and Petitions), *1901*.

in many places, and with an exemption clause that would affect many children down to ten years of age.

The weaknesses of the agreement were immediately apparent. *The News and Observer* regretted the attitude of the mill owners because it did not believe the agreement would be effective, no matter how good the intentions of the men who made it. The employers opposed to child labor could not refuse to employ young children without running the risk of losing some of their labor; those with good intentions could not speak for the others.[46] Although the limits set by the agreement had been in force in some places for several years, this was no guarantee for the others; and a private agreement was a mere "rope of sand."[47]

The child-labor bill of 1901 was considered by the House Committee on Propositions and Grievances. The opposition was represented by the officials of two mills and by James H. Pou, the attorney for the mill men interested in the matter. Pou stated that since four-fifths of the mills had signed the agreement there was no need for legislation. The manufacturers stressed the social welfare work of the mills, the danger of disturbing the relationship between employer and employee, and the fact that the operatives did not demand the law. The advocates of the bill agreed that, although conditions were bad, they were willing to give the mill men a chance to remedy the situation without legislation; so a motion was made and carried to suspend consideration of the matter until the agreement could be generally signed.[48]

The acceptance of the agreement in lieu of legislation in 1901 did not settle the matter. There were many people still dissatisfied. Before the child labor bill came up again in 1903, President Samuel Gompers of the American Federation of Labor appointed an agent of the Federation to work for the passage of a child labor law in North Carolina.[49] The labor element was becoming more strongly aroused regarding legislation, possibly through a contagion of interest from the neighboring states. A

[46] *The News and Observer*, Jan. 19, 1901.
[47] *Ibid.*, Jan. 22, 1901.
[48] *Ibid.*, Feb. 8, 1901.
[49] Samuel Gompers to O. R. Jarrett, Jan. 17, 1903, in Gomper's Letter Book, No. 64, A. F. of L.

labor paper, *The Industrial Journal,* was published in Charlotte as the official organ of the North Carolina Federation of Labor. On June 7, 1902, a special edition was devoted to the subject of child labor in Southern mills.[50] The articles by union members displayed considerable bitterness toward mill owners as a class, and one criticised the clergymen as opportunists who waited until labor aroused public sentiment to take up the cause and get the credit for reform.[51] An employee writing from Salisbury said:

> The laboring man of the South turns with disgust from the preacher or priest who would tell him that his misfortunes were ordained of God. They know theirs is a local ailment and they contemplate a local remedy.

The demands of labor went beyond child-labor legislation to other phases of reform.

> Instead of free libraries, give them free schools; instead of bath tubs, give them time; instead of free lunch at midnight, give them enough for their work to buy themselves a dinner at mid-day; instead of windy speeches, give them what by right belongs to them and soon the land will be a wonder.[52]

The interest of a part of the laboring class thus aroused in the matter of reforms was similar to that which was being displayed in other Southern states. While the influence of the unions was destined to be short-lived at this time in the Carolinas, it increased the fear of the manufacturers of labor legislation of all kinds.

The members of the clergy, whether welcomed by the labor organizations or not, were becoming more interested in child-labor problems and other phases of social welfare of the mill class. The center of this interest was quite naturally in Charlotte, which was the central point in the manufacturing area of the Carolinas. J. A. Baldwin, who had begun to work for reforms in 1898, continued his activities; and his articles spread from the local papers to his church periodicals and *Gunton's*

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[50] *The Industrial Journal,* (Charlotte, N. C.), June 7, 1902.
[51] *Ibid.,* J. L. Rodier, "The Times, Their Trend, Child Labor."
[52] *Ibid.,* E. B. Melton, "We Will Be Freed from Capital's Clutches."

Magazine.[53] He never considered the child-labor question as a thing which could be settled apart from the general conditions of physical and moral welfare of cotton-mill workers.

The *Raleigh Christian Advocate,* a Methodist periodical, declared that child life in the South was being wasted because of the idea that "children live for the benefit of the parent, not that parents live for the welfare of the children. Hence the widespread belief that a child is worth more in the cornfield, shop, and factory, than in the school room. Thus children are wasted among the wheels of an evergrinding 'bread and butter' machine." While not fixing the blame on any agency, the *Advocate* declared that the waste must end. "This is the great duty of the hour. It rises in importance above many other great problems which seem to receive the exclusive attention of Church and State. In saving the children we save the world."[54]

The denominational periodical which most determinedly took up the fight against child labor was the *Presbyterian Standard,* of which Alexander J. McKelway was the editor. McKelway said that he began to consider the problem seriously and to write editorials after he had seen some of the pamphlets which Edgar Gardner Murphy in Alabama was at this time publishing.[55] He placed the blame for conditions to some extent on New England investors in the South.[56] An editorial likened the Northern overseers found in some Southern mills to the Northern slave drivers of ante-bellum days in the South.[57] Such a comparison was sure to call forth comment from the mill owners. An open letter to the editor protested against the article as unfair because it applied the world slavery to the employment of children. Child laborers, said the correspondent, could withdraw from the factory whenever they chose. He resented the implication that children were underpaid and overworked and maintained that children were paid the same wages for the same work as an adult, and that the mills ran only eleven hours. In

[53] J. A. Baldwin, "Southern Cotton Mill Workers: Their Spiritual Condition and Need," in *The Review of Missions,* XXII (1901), 194; *Manufacturers' Record,* (Baltimore), April 10, 1902.

[54] *Raleigh Christian Advocate,* Aug. 13, 1902.

[55] Minutes of National Child Labor Committee, May 12, 1909, Appendix I, Memorandum as to coöperation with cotton manufacturers in the South, by A. J. McKelway, in National Child Labor Committee Office, New York.

[56] *The Presbyterian Standard,* Sept. 3, 1902.

[57] *Ibid.*

answer to this letter McKelway referred to the Murphy pamphlets on the wages of children, and to the statement of a leading South Carolina manufacturer that there were twenty-two thousand children under fourteen and ten thousand under twelve in the Southern mills. Murphy estimated that there were twelve thousand under twelve, many of them as young as eight or nine, and some five or six. While McKelway held the parents more responsible than the mill owners, he declared that the latter should advocate legislation to protect both themselves and the children.[58] At this time McKelway saw child labor as a Southern problem in which "outside interference" was undesirable. "It is a Southern problem that confronts us and Southern legislatures are to deal with it."[59]

With the approach of the legislative session of 1903 it became evident that the child-labor problem would be fought over again. The advocates of legislation maintained that the manufacturers' agreement of 1901 had not been successfully enforced. A decision of the state supreme court, rendered by Chief Justice Walter Clark, ruled that contributory negligence in cases of accident to children could not be pled for children under fourteen years of age in the absence of any legal prohibition of the employment of children. This helped bring some of the manufacturers to the acceptance of legislation.[60]

A new champion of child-labor reform appeared in Governor Aycock. Interested primarily in building an efficient public-school system in the State, he also saw that child-labor legislation was naturally related to the success of such a plan. In his message to the legislature of 1903 he clearly advocated a law which would prevent the employment of children under twelve entirely; under fourteen at night; and, after 1905, under fourteen altogether unless they could read and write. He favored no exceptions for orphans or the children of widows or disabled parents, declaring that the community should provide for such cases and see that the child did not suffer. His interest in child-labor was from an educational standpoint, and he did not express so forcefully his opinions on other labor problems. "The con-

[58] *The Presbyterian Standard*, Sept. 17, 1902.
[59] *Ibid.*, Oct. 8, 1902.
[60] National Child Labor Committee Minutes, May 12, 1909, Appendix I.

troversy, if there be any, between capital and labor has nothing to do with this question."[61] With his views *The News and Observer* heartily agreed,[62] and the *Charlotte Observer* felt constrained to express approval:

> Cotton mill men are agreed, we think, on the proposition that it is not profitable to work children under twelve; they would rather not have them; and this being the case, and they having bound themselves in a pledge two years ago not to employ such children, there can be no substantial objection to a law governing the matter. It would, in fact, be a protection for the operators.[63]

The lack of unity on the part of the reformers is evident from the fact that there were four separate bills introduced in 1903.[64] The voluntary agreement of the mill men in 1901 gave the reform advocates an opening, for they claimed on the one hand that it had not been faithfully observed by all the mills, and on the other that if the mill owners kept such an agreement voluntarily they could have no objections to embodying it into a law.[65] Others pointed out the weakness of the manufacturers' pledge in that it prohibited children from working only during the public school term and made no provision for the rest of the year.[66]

The hostility to supposed Northern influence was not absent in this contest, although it did not appear as strongly as in other states. In the hearing before a legislative committee the manufacturers referred to the legislation as "Yankee doings,"[67] while the author of a letter to the *News and Observer* declared that the "agitation is simply a 'Yankee trick' and started in New England, the home of 'Uncle Tom's Cabin,' and all the abolition deviltry."[68]

After much discussion between the opposing factions, a compromise was reached by a committee of the manufacturers and a joint committee of the Assembly.[69] The manufacturers agreed

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[61] *The News and Observer*, Jan. 9, 1903.
[62] *Ibid.*
[63] *The Charlotte Observer*, Jan. 10, 1903.
[64] *House Journal, 1903*, pp. 31-32, 471; *Senate Journal, 1903*, p. 81; *The News and Observer*, Jan. 13, 1903; Feb. 6, 1903.
[65] *The News and Observer*, Feb. 6, 1903.
[66] *Ibid.*
[67] *Ibid.*
[68] *Ibid.*, Feb. 8, 1903.
[69] *Ibid.*, Feb. 12, 1903.

to the twelve-year age limit with no difficulty, but debated at length before accepting the sixty-six-hour week for employees under eighteen. The clause forbidding any child under fourteen working at night was opposed because the doffers, who were usually small boys, were needed then. This clause was stricken out. The date for the law to go into effect was changed from July 1, 1903, to January 1, 1904.[70]

In both houses there was some debate over the bill as it had been framed by the committee, and efforts were made to amend it. These efforts called forth a strong protest from Governor Aycock. "After the child labor bill had been introduced," wrote McKelway, "the manufacturers attempted by amendments, to nullify any good results, and Governor Aycock told the committee of manufacturers, as he had stated to me that if they persisted in the amendments, he would stump the state himself, in the interest of the child labor law, for the next session of the legislature. Thereupon, they agreed to the twelve year age limit with the 66 hour week for children under 18."[71]

The bill passed the Senate, and on March 5, 1903, went through the House and became a law.[72] Although forced into agreeing to the act, the manufacturers generally reported to the labor commissioner their satisfaction with it. Their only wish was that it might be the last one.[73] On the contrary, however, this law, which was twenty years in the making, was only the first step in a series of acts which required as many more years for passage. It was a weak law with many obvious defects, not the least of which was the lack of any provision for enforcement. But with all its shortcomings it was of tremendous significance, for it was the initial action by which North Carolina acknowledged its legal responsibility for the welfare of its working children.

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[70] *Ibid.*, Feb. 13, 1903.

[71] Minutes of the National Child Labor Committee, May 12, 1909, Appendix I.

[72] *House Journal, 1903*, pp. 1217, 1286; *The News and Observer*, Feb. 21, 1903; *Public Laws and Resolutions of the State of North Carolina, 1903*, pp. 819-20.

[73] *Seventeenth Annual Report of the Bureau of Labor and Printing of the State of North Carolina, for the Year, 1903*, pp. 124-141.

THE HOWE PEACE COMMISSION OF 1776

By Weldon Amzy Brown

One purpose in calling the first Continental Congress in 1774 was to effect a reconciliation with the mother country. To achieve this, the Congress sent a petition to the King seeking a return to conditions existing prior to 1763.[1] Despite the failure of the first petition to effect its desired end, the second Continental Congress in another petition to the King reiterated the previous request and further besought his Majesty to devise a plan of reconciliation.[2] With the failure of this petition even to receive a hearing, colonial efforts at a peaceful solution officially ceased.

Unwilling to accept colonial proposals, Lord North and his ministry, feeling that responsibility for maintaining peace now rested with them, made a counter offer of reconciliation. Their first move in this direction was made on February 20, 1775, when Lord North, in an amazing speech, set forth his conciliatory proposition. In brief this was: When any colony should contribute a definite sum for common defense, and should provide for civil government and the administration of justice, no further duties were to be imposed on it during the period of contribution and provision except for the regulation of commerce, and the net income from these duties should go to the colony. The sum for common defense was to be disposable by Parliament, while the provision for civil government and the administration of justice was to be approvable by both King and Parliament.[3]

Despite the fact that North's proposition passed Parliament by an overwhelming majority, the ministry took no immediate action toward its execution. When news of the plan reached America the colonists debated its merit and sincerity.[4] The delay in executing the plan irritated opponents of the ministry on both sides of the Atlantic. Undeterred by this opposition, the ministry omitted all further efforts for reconciliation until De-

[1] First petition found in *Journals of Congress*, I, 120.
[2] Second petition found in *ibid.*, II, 158.
[3] Lord North's speech and plan found in *Parliamentary History*, XVIII, 319-358.
[4] May 2, 1775, first mention found of plan after arrival in America. See *Journals of Congress*, II, 63*n*.

cember, 1775, when it secured the passage of the so-called "Capture Act."[5] This act prohibited all trade and intercourse with the colonies while in rebellion; repealed the Boston Port Bill, "and also two acts, made in the last session of parliament, for restraining the trade and commerce of the colonies"; and enabled "any person or persons, appointed and authorised (*sic*) by his Majesty to grant pardons, to issue proclamations in the cases, and for the purposes therein mentioned."[6]

Thus, incongruous as it may seem, an act providing for the capture of all ships going to and from the colonies, excepting those carrying food and supplies to the troops and loyal colonists, also declared that the King might appoint peace commissioners to encourage all persons to aid in suppressing the rebellion and to afford "a speedy protection to those who are disposed to return to their duty. . . ."[7] Further, the commissioners were to pardon any number of persons by proclamation, and to declare such persons to be at his Majesty's peace. After the issuance of any such proclamation, "or if his Majesty shall be graciously pleased to signify the same by his royal proclamation," those persons or colonies shall be exempt from the above act.[8] Captured vessels belonging to the pardoned colonists were to be returned upon proof of ownership, but the captors, if uninformed of the proclamation, were not to be made liable for the seizure of the ships. This act of conciliation, if it can be stretched to mean that, went hand in hand with the punitive measure of which it was a part.

The actual appointment of the commissioners was not made until May 3, 1776. In the meantime the ministry discussed the instructions to be given the commission and the choice of the commissioners. They discussed submission, not conciliation. Wedderburn, the solicitor general, declared that actual submission meant more than the laying down of arms and the acceptance of pardons; it meant a legal submission to the authority of Great Britain. Better, he said, to continue the war than to yield

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[5] The so-called "Capture Act," and the Prohibitory Act are different titles, but refer to the same act. Pickering, *Statutes at Large*, XXXI, 135; 16 George III, Chap. 5.

[6] *Loc. cit.* For the two acts which were repealed see *ibid.*, 15 George III, Chap. 10 and Chap. 18.

[7] Pickering, *Statutes at Large*, XXXI, 154; 16 George III, Chap. 5.

[8] *Loc. cit.*

this point. A submission to authority, not to force, would be the only durable solution. The ministry agreed that England should not yield any fundamental right to the colonies.[9]

Long before May 3 the ministry had decided that the Howe brothers should be the commissioners. Lord Richard Howe was a naval officer and, at the same time he was made peace commissioner, the King appointed him commander-in-chief of the British navy in American waters. His younger brother, Sir William Howe, was already in America as commander-in-chief of his Majesty's forces. Both these men had opposed the colonial policy of the King, befriended the colonies upon every opportunity, and opposed the war against their fellow Englishmen. Further, their elder brother, Lord George Howe, had endeared himself to the colonies by his services and his death in the French and Indian War at the battle of Ticonderoga, on July 8, 1758. The commissioners, therefore, were *persona grata* to the colonists. Lord Howe, especially, desired the honor of reconciling the colonies to the mother country, but his desire for honor did not color the sincerity of his wish for reconciliation.

This sincerity of purpose Lord Howe shows in his discussions with Lord Germain, secretary of state for the colonies, regarding the terms to be offered the colonists. Before his appointment, he was in constant consultation with Germain. By March 26 he had evidently seen the instructions to the commissioners, and on that day wrote the secretary for the colonies objecting to some of them. He noted that the first step to be taken on arriving in America would be to publish the preliminary conditions upon which the colonies could expect the King's grace and mercy, but he opposed the eleventh article which excepted Rhode Island and Connecticut from the benefits of the plan. He would not accept the commission until this inequality was removed. If the colonies accepted the fourth article authorizing them to be placed at the King's peace, would it not be preferable that the governors, without the interference of the commissioners, frame the peace in their respective provinces? He opposed holding any powers in reserve. Why not let the colonies know definitely

[9] *Report on the Manuscripts of Mrs. Stopford-Sackville, of Drayton House, Northamptonshire, [Historical Manuscripts Commission]*, II, 11.

what to expect? Observing that it was the intention of the ministry to hold back certain offers at first, he declared himself "disqualified from engaging as a commissioner in the execution of Instructions framed on that plan."[10] He would undertake the commission if the propositions to the colonies were as follows:

> If they will agree to offer a contribution in lieu of taxation, lay down their arms, restore the civil government, and by their assemblies declare their obedience to the authority of the British Legislature, and apply to be relieved from the restrictions upon their trade, in such manner as shall be deemed a satisfactory evidence of their future good intentions, they shall then be declared at the King's peace, and any complaints made in a dutiful manner shall be received and favorably considered.[11]

On April 1 he complained to Germain that the exceptions of Rhode Island and Connecticut had not been removed. These provinces were still to remain under the Prohibitory Acts until suggestions concerning a change of their charters were sent to England. Why must they wait that long? Could not the commissioners take with them, in their instructions, the authority to make the alterations desired by the ministry? If those colonies agreed to the changes, why could not the commissioners, instead of the ministry, declare them at the King's peace? He understood that declaring peace and granting pardons were the full powers of the commission.

> But he humbly submits whether the desired accommodation would not be facilitated, if the Commissioners conferring upon the point of taxation were at liberty to enter upon some explanation of the conciliatory proposition of the House of Commons, so far at least as to intimate what ideas of contribution they can with any hope of success transmit to his Majesty's Ministers for the consideration of Parliament.[12]

In his reply of the following day, Germain stated that he did not understand Rhode Island and Connecticut to be so prescribed as Howe imagined, for if they consented to a proper alteration of their charters, and acknowledged the legislative authority of Great Britain, he did not think the following words of the in-

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[10] *Stopford-Sackville Mss*, II, 26.
[11] *Loc. cit.*
[12] *Stopford-Sackville Mss*, II, 27.

structions, "that you do not declare those Colonies to be at our peace until some measure is agreed to for rendering those Governments more immediately subject to the authority of Great Britain,"[13] could preclude him from placing them on the same footing with the other provinces without sending to England for further powers. He advised Howe to acquaint himself with the views of the ministry, especially of Lord North, regarding taxation. No specific instructions could be given on that point. He hinted that if Howe would study the Restraining Act carefully, he would discover that the commissioners were in any case merely empowered, not required, to declare the rebellious provinces at peace. Though, without consulting the other ministers he could not change the instructions. Germain expressed the hope that Howe would be a commissioner.

Wedderburn wrote Germain on April 24, expressing the belief that Lord Howe would accept the commission as he had insisted on being the sole commissioner, and as no one else had been thought of to take his place. His concern over the instructions seemed to imply a strong wish not only to accept but also to follow them, a fact which required their trusting him. Up to this time the instructions had been thought of only in the light of success. They must be revised with the idea of how they would appear in case they should fail. He believed Howe's objections were conscientious and sincere, because most men going as commissioners would have preferred poor instructions, to be used as a screen behind which they could shield themselves.

General William Howe, on April 26, wrote Germain from Halifax expressing the belief that conciliation was impossible until the rebel army was defeated. The rebels could retire into the woods, away from navigable rivers, and could not be pursued, because of the lack of transportation facilities.

Despite General Howe's attitude toward conciliation and the objections raised by Lord Howe, the King on May 3 appointed them commissioners. Henry Strachey was made secretary. Lord Howe sailed from St. Helens on board the King's ship, the *Eagle*, on May 12th. Why were the selection and departure of this com-

[13] *Stopford-Sacksville* Mss, II, 28.

mission so long delayed? Was it due to Lord Howe's desire to get better instructions or was it the secret design of the ministry to delay until the colonies had declared their independence? The answer is not available, but Charles James Fox suspected the latter.[14]

Ten days after Howe had sailed for America, General Conway moved in the Commons:

> That an humble Address be presented to his Majesty, praying that his Majesty would be graciously pleased to communicate to this House so much of the Instructions given to Lord viscount Howe and general Howe, . . . as relates to the conditions on which it is proposed to make peace with, or receive the Submissions of, his Majesty's American subjects now in arms.[15]

Driven out of America as the British troops had been, he did not think it becoming language for the administration to demand unconditional submission. France and Spain were arming. Would it be to their interest that America should be conquered?

North refused to communicate the instructions unless for some special reason. He said that in a general sense the powers given were those embodied in the act of Parliament empowering the King to appoint commissioners. He had no fear of foreign powers. At this statement Burke again derided North for his ruinous policy. America would accept no terms that were not specific. How was a peace commission to be reconciled with the doctrine of unconditional submission? North had not only refused to communicate the instructions to the House, but had refused even to tell why he would not do so. Burke denounced the policy of carrying on war while attempting to secure peace. Conway's resolution was lost by a vote of 85 to 171.

Better instructions than Howe brought with him to America in 1776 (or else victory of British arms in America) were needed to prevent a complete separation of the colonies from the mother country. One continuous series of events tended to make his mission futile before he arrived. Commensurate with the rise of the movement for independence was the decline of the chances of a reconciliation. On December 4, 1775, Congress had unan-

[14] Debate on motion of Lord Cavendish. *Parliamentary History*, XVIII, 1434.
[15] *Ibid.*, p. 1359.

imously resolved that in the present situation of affairs it would be dangerous to the liberties and welfare of America for any colony to petition the King separately. When rumors were broadcast that peace commissioners were coming the colonies were aroused. The South Carolina assembly adopted the resolution of Congress, and resolved further that if any person or persons sent from England to treat with the colonies should arrive in that province, they should not upon any pretence be allowed to land or remain longer than 48 hours, wind and weather permitting. While there they should hold no communication with any person in the colony, except through the President of Congress. If such peace commissioners should arrive by land, they should be immediately escorted out of the colony.[16]

Before Lord Howe arrived in America, the second week in July, the revolutionary party had discredited his instructions. They suspected the ministry of duplicity; felt that the offers were intended as a snare; believed that unconditional submission was the aim of the King and ministry; and regarded the effort for peace as an insidious attempt to divide them and weaken the military strength of the country. William Hooper, delegate to Congress from North Carolina, said that the commissioners could negotiate with towns, counties, and special groups, but not with Congress, lest by any act they might recognize its legality. If the colonies would hold out long enough and resist the allurements of British parade, persuasion, venality, and corruption, the commissioners would hold forth a clean slate to America.[17] Elbridge Gerry, delegate to Congress from Massachusetts, thought America had gone too far to recede.[18] John Adams wrote that if they came not prepared to grant the provisions of the Declaration of Rights, the colonists would not be slow in deciding what to do.[19]

The radicals were anxious to know what propositions were to be offered. This condition of suspense lessened the speed of

[16] *The Remembrancer*, III (1776), 146-47.
[17] Letter to Joseph Trumbull, March 13. Burnett, Edmund C. (ed.), *Letters of Members of the Continental Congress*, I, 387.
[18] *Ibid.*, p. 409-10.
[19] *Ibid.*, p. 413.

the movement for independence. Robert Morris put the American situation squarely when he said:

> Where the plague are these Commissioners, if they are to come what is it that detains them; It is time we should be on a certainty and know positively whether the liberties of America can be established and secured by reconciliation, or whether we must totally renounce connection with Great Britain and fight our way to a total independence. Whilst we continue thus firmly united amoungst ourselves theres (*sic*) no doubt but either of these points may be carried, but it seems to me we shall quarrel about which of these roads is best to pursue unless the Commissioners appear soon and lead us into the first path, therefore I wish them to come, dreading nothing so much as even an appearance of division amongst ourselves.[20]

Those who wavered between their allegiance to the King and their desire for independence felt that the colonies should await the terms offered before declaring in favor of final separation. If they were not satisfactory the alternative of independence was always available. It was a race between the party of independence and that of reconciliation. The former group pressed for the declaration of independence before the commissioners could arrive, while the latter did everything in its power to delay aggressive action to leave the door open for a peaceful settlement as long as possible. By July, 1776, the cause of reconciliation was hopelessly lost. The commissioners arrived just ten days too late.

On March 24 Washington sent a letter to Congress seeking instructions for receiving the commissioners said to be coming from Great Britain. Congress replied that the practice usual in such cases should be observed, by letting them make previous application for the necessary passports and safe conduct. On such application being made, further directions would be sent. It took a long time to form this reply. A great partisan contest occurred in Congress. John Adams wrote:

> It will be observed how long this trifling business had been depending, but it cannot be known from the Journal how much debate it had occasioned. It was one of those delusive contrivances, by which the party in opposition to us endeavoured, by lulling the people with idle hopes of

[20] Letter to Horatio Gates, April 6. *Ibid.*, p. 416.

reconciliation into security, to turn their heads and thoughts from independence. They endeavoured to insert in the resolution ideas of reconciliation; we carried our point for inserting peace. They wanted powers to be given to the General to receive the commissioners in ceremony; we ordered nothing to be done till we were solicited for passports. Upon the whole, we avoided the snare, and brought the controversy to a close, with some dignity. But it will never be known how much labor it cost us to accomplish it.[21]

The radicals had feared that the sending of peace commissioners was an insidious attempt to divide and disunite the people. This debate showed the basis for such a fear. Washington saw what he termed the duplicity of the measure, and opposed it with all his strength and skill. He felt that "no Commissioners ever were design'd, except Hessians and other Foreigners; and that the Idea was only to deceive, and throw us off our guard; . . ."[22] It was useless to send a commission to America for a reconciliation when the terms offered did not have the barest chance of being accepted. Peace must be based on sincerity, and the ministerial speeches in Parliament which he had read did not reveal such sincerity on the part of the British cabinet. He was more afraid of the British peace commissioners than of the British generals. Despite the many grave objections to so base an offer of peace, Washington wrote that "the representations of whole Provinces, are still feeding themselves upon the dainty food of reconciliation. . . ."[23] The possibility of a reconciliation kept men from enlisting in the continental army. Such men reasoned that there was no use walking many miles if when they arrived at army headquarters, they were to find the quarrel ended.

Lord Howe's first official act after landing at Staten Island, July 12, was to send a circular letter to the governors with a copy of the declaration of his commission. The letter revealed the civil and military powers of the commissioners and announced the course of action the commission proposed to follow. As soon as he had consulted with General Howe, he would be

[21] *Journals of Congress*, IV, 328. Also in Adams, Charles F., (ed.), *Works of John Adams*, III, 43.

[22] Letter to John Augustine Washington, May 31. Fitzpatrick, John C., (ed.), *The Writings of Washington*, V, 92.

[23] *Loc. cit.*

ready to begin the work of granting pardons. Lord Howe thought it expedient to issue the declaration to inform the public of the King's intentions. He requested the governors to take every opportunity to make it known, by publishing it at such places and in such a manner as would give it the greatest publicity. Expressing the wish for a speedy restoration of peace, he asked them to communicate to him from time to time such information as they thought would facilitate the attainment of that end.

Howe's declaration called attention to the act of Parliament prohibiting all trade and intercourse with the colonies, and to the constitution and powers of the peace commission, and stated that after any colony had been declared at the King's peace the Prohibitory Act would be repealed with respect to that colony. It stated further the power of the commissioners either jointly or separately to grant pardons and receive submissions from all those,

> who, in the tumult and disorder of the times, may have deviated from their just allegiance, and who are willing, by a speedy return to their duty to reap the benefits of the royal favor; and, also, for declaring in his Majesty's name, any colony, . . . to be at the peace of his Majesty: I do therefore hereby declare, that due consideration shall be had to the meritorious services of all persons who shall aid and assist in restoring the public tranquility in the said colonies, . . . that pardons shall be granted, dutiful representations received, and every suitable encouragement given, for promoting such measures as shall be conducive to the establishment of legal government and peace. . . .[24]

In addition to these official documents, Lord Howe brought several letters to prominent men in the colonies from friends in London. The London gentlemen urged their colonial friends to accept the peace offer and to do all they could to get others to accept likewise. One of these gentlemen wrote that Lord Howe

> had rather meet you, and that immediately on his arrival, in the wide field of argument, than in the chosen ground for battle; and I am confident a parley on the footing of gentlemen and friends is his wish and desire; and it is generally believed, with his disposition to treat, he has power to compromise and adjust.[25]

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[24] Both the Circular Letter and the Declaration are in, Force, Peter, (ed.), *American Archives, fifth series*, I (1776), 605-606.

[25] Dennis De Berdt to Reed, May 3, *ibid.*, p. 373.

On July 14 Washington wrote the President of Congress that Lord Howe had sent one of his staff officers with a letter addressed "to George Washington, Esquire." He had refused to receive the letter because the address did not pay the respect due his station.[26] The next day he sent a packet of letters and papers to Congress, which contained the declaration and the circular letter. General Howe, on July 20, sent his adjutant general, Colonel Patterson, to interview Washington and to apologize for any mistakes made in the previous attempt. The British officer addressed Washington as "Your Excellency," showed him a letter from Lord Howe, addressed to "George Washington, etc., etc.," and commented that this form of address implied everything. Washington quietly replied that it might also mean anything, and again stated that he could not receive any letter directed to him in his private capacity, which related to this public station. He remarked to Patterson that he believed Lord Howe and General Howe merely had power to grant pardons, whereas

> those who had committed no fault wanted no pardon, that we were only defending what we deemed our indisputable right. Colonel Patterson said that would open a very wide field for argument. He then expressed his apprehensions that an adherence to forms was likely to obstruct business of the greatest moment and concern.[27]

These negotiations showed the inadequacy of the instructions to the commissioners. Neither was Congress recognized nor was Washington's newly acquired title acknowledged. On July 17 Congress received the packet Washington had sent two days earlier, and on the same day passed a resolution:

> That General Washington, in refusing to receive a letter said to be sent from Lord Howe, and addressed to 'George Washington Esq' acted with a dignity becoming his station; and, therefore, this Congress do highly approve the same, and do direct, that no letter or message be received, on any occasion whatsoever from the enemy, by the commander in chief, or other, the commanders of the American army, but such as shall be directed, to them in the characters they respectively sustain.[28]

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[26] A fact often ignored is that Admiral Howe habitually called Washington "General" when speaking with American officers. Mahon, A. T., "Admiral Earl Howe," *Atlantic Monthly*, LXXIII, (1894), 26.

[27] A memorandum of the interview ordered published by Congress, July 26, found in Fitzpatrick, J. C., (ed.), *Writings of Washington*, V, 321*n*-323*n*.

[28] *Ibid.*, p. 274*n*.

The next day Congress ordered the letters from Lord Howe to Governors Franklin, Penn, Eden, Dunmore, Martin, and Wright, together with those to private persons, which had been intercepted by the continental soldiers and sent to Congress, to be referred to a committee of three. On July 19 this committee, composed of Jefferson, Charles Carrol, and R. T. Paine, brought in a report, on the basis of which Congress adopted a resolution to publish the circular letter and the declaration that:

> the good people of these United States may be informed of what nature are the commissioners, and what the terms, with the expectation of which, the insidious court of Britain has endeavoured to amuse and disarm them, and that the few, who still remain suspended by a hope founded either in the justice or moderation of their late king, may now, at length, be convinced, that the valour alone of their country is to save its liberties.[29]

Washington thought that this action would silence the warmest advocates of reconciliation and convince them beyond a doubt that the commissioners had no honorable terms to offer and that those held out were designed expressly to deceive and unguard the people of both England and America. This, he believed, explained why the request of the Mayor's Corporation of the city of London for the specification of the powers in the commission was refused. The union of the civil and military powers in the two Howes, he thought conclusive evidence to every thinking person that there was little to be expected from a civil negotiation. In agreement with this Walpole had earlier written:

> We have both martial and pacifice symptoms. Commissaries are going with olive-branches, and acts of Parliament and regiments with daggers and swords. We seem to enrage America, as if it were a passionate man who is very sorry the moment his passion is over.[30]

After July negotiations for any sort of settlement short of a commercial one were futile. On July 16, John Alsop wrote to the New York convention requesting permission for his withdrawal from Congress, because that province had agreed to the Declaration of Independence, to which his judgment was op-

[29] *Journals of Congress*, V, 592-93.

[30] Letter to Horace Mann, December 8, 1775. Toynbee, Mrs. Paget, (ed.), *Walpole Letters*, IX, 291.

posed. As long as the door was left open for reconciliation on honorable and just terms, he was willing to serve his country, but when that was closed he chose to resign.[31] Robert Morris lamented the presence of those who could not endure mention of reconciliation. To this class of extreme radicals all peace proposals sounded like high treason against the colonies. If the commissioners had terms more acceptable than those revealed in the declaration they ought to be considered; if not they were wasting time in soliciting intercourse. He thought that if reasonable terms were offered the colonies would accept them, but if the commissioners could offer only pardons, it would unite the country for independence. This being true, why should Congress fear to treat with them? Opposition to a conference would alienate those who were already dissatisfied. Morris was in favor of being polite.

When neither the Congress nor the colonies took any steps to meet the conciliatory proposals, the British commissioners resumed military operations and the battle of Long Island was fought. In this battle General John Sullivan was taken prisoner and conducted on board Lord Howe's ship. At Howe's request he went to Philadelphia on parole with a message for Congress, in which Howe informed the Congress that, though he could not at present negotiate with it as a body, he was desirous of having half-hour conferences with some of the members in their private capacity. The message stated that the commissioners had power to make a peace satisfactory to the colonies, and expressed the wish that the quarrel might be settled before a decisive blow was struck. In case Congress were disposed to treat, many things, which had not been requested, might be granted to the Americans. If any plan of conciliation agreeable to both countries was hit upon, Congress would be recognized as a legally constituted body.

Howe's request for a conference again stirred party jealousy. The conservatives regained hope, but the radicals regarded it as an insult to Congress and favored passing a resolution that no further proposals from the commissioners be heard.

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[31] Burnett, *Correspondence*, II. 12-13.

Of the feeling aroused in John Adams by Sullivan's mission, Benjamin Rush wrote:

I sat next to him while Gen'l Sullivan was delivering a request to Congress from Lord Howe for an interview with a committee of the house in their private capacities, after the defeat of the American Army on Long Island on the 26 of August 1776. Mr. Adams under a sudden impression and dread of the consequences of the measure, whispered to me a wish 'that the first ball that had been fired on the day of the defeat of our Army had gone through his head.' When he rose to speak against the proposed interview, he called Gen'l Sullivan a 'decoy duck whom Lord Howe has sent among us to seduce us into a renunciation of our independence.'[32]

Though it was a private request and should have been kept secret from the public, Lord Howe made every possible effort to let the public know that terms were being offered to Congress. News of Sullivan's arrival with the message had spread rapidly over Philadelphia, "with thirty falsehoods in addition."[33]

John Witherspoon, president of New Jersey College and member of Congress from New Jersey, vigorously opposed the conference. He would not grant that Sullivan's mission was the first step toward reconciliation. Lord Howe had avoided everything that could imply that the Americans were anything but slaves and subjects of England in rebellion. The terms were those of unconditional submission. Had he any respect for Congress why was the message not kept secret? Had he desired to communicate with the members of Congress privately, there were a thousand ways it could have been done without its being revealed to the public. Would Howe treat on terms of American independency? Was that question not settled when Congress agreed upon a declaration of independence? Yet was not the surrender of independence impliedly a preliminary to such a conference? Had not Howe recognized that the Declaration of Independence precluded a reconciliation by saying that he regretted having arrived ten days too late? To enter into so much correspondence with him would be to give up that much independence. If the conference were allowed it would give force

[32] Burnett, *Correspondence*, II, 69*n*-70*n*.
[33] Letter from Josiah Bartlett to William Whipple, September 3. *Ibid.*, p. 66.

to the seditious machines of the Tories and Loyalists. If independence was in question would men continue to enlist in the army?[34]

The radicals were against the proposed conference because it would degrade Congress in the eyes of the people, while it was certain that Lord Howe had no acceptable terms; it would weaken the efforts of the army and divide the people, as the Loyalists would misrepresent the proposals and represent Congress as being obstinate and desirous of war; it was designed by Howe for that very reason; it would weaken the efforts of the American agents abroad, who were trying to secure loans and foreign alliances. Silas Deane, commissioner in Paris, wrote to this effect on November 28, 1776:

> Yesterday it was roundly affirmed at Versailles that a letter was received in London from Philadelphia, in which it was said I had written advising the Congress to negotiate for that I could obtain no assistance from Europe. You can hardly conceive how dangerous even such reports are, and how prejudicial every step that looks like confirming them.[35]

The conservatives favored the conference because they did not believe it would injure the colonies in any way. If the terms offered were not honorable Congress could merely refuse to accept them. To agree to the conference would silence the cry of the Loyalists that Congress was obstinate and desired to prolong the war; and if the terms offered were dishonorable, it would be a deadly blow to all Loyalist designs.

Congress finally agreed to the conference, but the conferees were to attend in their public capacity, as members of Congress and as representatives of an independent United States. Their task was to meet Lord Howe, to discover whether he had any powers to treat with Congress on honorable terms, and to hear any propositions he had to make. For this commission Congress chose Franklin, John Adams, and Edward Rutledge.

Each of these commissioners felt that his errand was foolish. Franklin thought England was making this effort at peace to

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[34] Speech of September 5. Burnett, *Correspondence*, II, 70 *et seq.*

[35] Wharton, Francis, (ed.), *Revolutionary Diplomatic Correspondence of the United States*, II, 198. Fact cited in Burnett, *op. cit.*, II, 265.

save for itself the vast profits of American trade. He wrote Lord Howe on July 30:

> The official dispatches, to which you refer me, contain nothing more than what we had seen in the act of Parliament, viz. offers of pardon on submission, which I was sorry to find, as it must give your Lordship pain to be sent upon so fruitless a business.
>
> Directing pardons to be offered to the colonies, who are the very parties injured, expresses indeed that opinion of our ignorance, baseness and insensibility, which your uninform'd and proud nation has long been pleased to entertain of us; but it can have no other effect than that of increasing our resentments.[36]

Franklin knew that Lord Howe did not have any terms of peace that would be acceptable to America.

The committee from Congress met Lord Howe at Staten Island on September 11th. The conference lasted three hours, after which the Americans immediately returned to Philadelphia. Their report showed that Lord Howe had no authority to treat with the commissioners as members of Congress. He admitted having no authority whatsoever to treat on the subject of independence, but offered his personal assurances, in case of American submission, that the acts of Parliament offensive to the colonies would be repealed. The commission replied that a return to British allegiance was neither likely nor practicable since the colonies had approved the Declaration of Independence, and that it would be easier for Howe to get new instructions to treat on terms of independence than for Congress to induce the colonies to surrender it.[37] It seemed that the Howe commission had no power but that of granting pardons, with such exceptions as it chose to make,[38] and of declaring any part of the colonies at the King's peace. Congress ordered that the report be published, but made no observations upon it, feeling it best to let it speak for itself.

Howe had probably requested the interview to see if there was the least probability of the colonies returning to their former allegiance. John Adams summed up the affair by saying, "The

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[36] Smyth, Albert H., (ed.), *The Writings of Benjamin Franklin*, VI, 458, 459.

[37] Detailed account found in Ford, Paul L., "Lord Howe's Commission to Pacify the Colonies," *Atlantic Monthly*, June, 1896, LXXVII, 758-62.

[38] John Adams was excepted from pardon. Adams, C. F., (ed.), *Works of John Adams*, III, 78. For a partial black list see *The North Carolina Gazette*, (New Bern), May 5, 1775.

whole affair of the commission appears to me, as it ever did, to be a bubble, an ambuscade . . . and it is so gross, that they must have a wretched opinion of our generalship to suppose that we can fall into it."[39] Everything the British commission did in America he distrusted as evidence of duplicity. One great point achieved by the interview, however, was that of striking the Tories dumb, and killing the impressions circulated among the credulous-minded that Howe had been given full and ample powers to settle the quarrel on peaceable and just terms, such as would satisfy all America, except the haughty, proud, and militant. Some felt that Howe had falsely represented his instructions. This led the colonists to believe that Great Britian accompanied violence with deception.[40] The Americans must now turn from hopes of reconciliation to reliance on God and Washington's army.[41]

The conference ended Lord Howe's communications with Congress. On September 19 he and his brother issued another public declaration in a futile attempt to appeal to the people over the head of Congress. It declared:

> Although Congress, whom the misguided Americans suffer to direct their opposition to a reëstablishment of the Constitutional Government of these Provinces, have disavowed every purpose of reconciliation not consonant with their extravagant and inadmissable claim of independence, the King's Commissioners think fit to declare that they are equally desirous to confer with his Majesty's well-affected subjects, upon the means of restoring the public tranquility, and establishing a permanent union. . . . The King being most graciously pleased to direct a revision of such of his royal instructions to his Governors as may be construed to lay an improper restraint on the freedom of legislation in any of his colonies, and to concur in the revisal of all acts by which his Majesty's subjects there may think themselves aggrieved, it is recommended to the inhabitants at large to reflect seriously upon their present condition and expectations, and judge for themselves whether it be more inconsistent with their honour and happiness to offer up their lives as a sacrifice to the unjust cause in which they are engaged, or return to their allegiance, accept the blessings of peace, and be secured in a free enjoyment of their liberties and properties, upon the true principles of the Constitution.[42]

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[39] Letter to Samuel Adams, September 17. Burnett, *Correspondence*, II, 92.
[40] Letter from W. Williams to J. Trumbull, September 13, 1776. *Ibid.*, p. 85 *et seq.*
[41] Letter from Rutledge to Washington, September 11, Force, P. (ed.), *American Archives*, fifth series, II (1776), 288.
[42] *Ibid.*, p. 398.

This declaration brought extra worries to Washington, who was struggling to maintain an army. It was designed to seduce the people from their allegiance to Congress. Copies were scattered over the country by the Loyalists and British soldiers and aroused sharp opposition to the efforts of the British commission.

William Henry Drayton, a judge of South Carolina and famous for his espousal of the cause of American rights, wrote a stinging reply to Howe's declaration of September 19th. He prefaced his declaration with an explanation which is so apt that a part of it is here given.

By Richard Viscount Howe, . . . and William Howe, Esq, . . . the King's Commissioners for deluding the good people of AMERICA by insidious offers of peace, or shedding their blood without mercy.

DECLARATION.

Although the Congress, whom the much-injured AMERICANS suffer to direct their opposition to the establishment of tyranny and an unconstitutional Government over these Provinces, have disavowed every purpose of reconciliation not consonant with that liberty to which they have the most clear and undeniable right, the King's Commissioners aforesaid think fit to declare, that they are equally desirous to confer with his Majesty's subjects (if any so weak and abandoned are to be found) upon the means of establishing a permanent tyranny over every Colony, and fix them the everlasting slaves of the British empire. . . . it is recommended to the inhabitants . . . to reflect seriously . . . whether it be more consistent with their honor and happiness to risk their lives in defense of a glorious Independency, or return to the galling yoke of tyrannic usurpation, and be deprived of every security in the enjoyment of their liberty and properties upon the true principles of a wicked and destructive policy.[43]

Drayton attacked the Howe commission and the offers it held out and denounced the course it had taken in America. The declaration was an invitation to men of common sense to yield independence to slavery. Could the Howes say who or what authority would revise the acts offensive to America? On what authority could they promise definitely such a revision? If it had been intended to repeal the acts, why had they characterized them as acts of which the Americans "think themselves ag-

[43] *Loc. cit.*

grieved?" He immediately perceived the same objection that Lord Howe had raised in London, when he asked why the ministry had not come to the point at once. Why silence? Had not their silence on this point made it evident that they had been ushered into the dilemma by their superiors? "You have not been accustomed to dirty jobs, and plain dealing does not accord with your instructions; otherwise, in the latter case, I think you are men of too much sense and honor to have overlooked or suppressed so material a point of information."[44] In asking people to reflect seriously on their condition, could the commissioners be unaware that Americans had been engaged at that occupation since the passing of the Sugar Act of 1764? Where had the gentlemen been all the time? After such a series of measures as the Declaratory Act, the Tea Act, the Boston Port Act, the Massachusetts Government Act, and the act of last December, declaring the inhabitants rebels, he roared:

> I say, after such a series of causes for reflection, and that your Excellencies now find us in arms against you, determined on independence or death, can you possibly entertain an idea that we have not reflected seriously? On the contrary you know that we are prepared to offer up our lives in evidence of our serious reflections: In addressing a world, you ought to have some attention to the propriety of your recommendations, if only from a regard to your own reputation.[45]

On November 30 the Howe brothers issued a final proclamation inviting the people to surrender themselves to any of the King's officers, and at the same time testify to their obedience to the laws of England by subscribing to an oath in the following words: "I, A.B. do promise and declare, that I will remain peaceable and obedient to his Majesty and his government, and will not take up arms against either, nor encourage others to take arms, in opposition to his authority."[46] Sixty days grace was given for persons so inclined to make up their minds.

Angered at this proclamation Washington recommended that Congress prepare an oath of allegiance to the United States, to offset that of the Howe declaration. His recommendation was approved and he was authorized to issue a proclamation giving the Loyalists just thirty days in which to repair to the nearest

[44] A paper entitled "A Carolinian," written by Drayton on October 22. *Ibid.*, p. 1182.
[45] *Loc. cit.*
[46] "Chronicle" (*Annual Register*, XVIII), 193.

army headquarters and renounce their allegiance to England and swear allegiance to the United States. Those who refused to do so within the required time would be held as common enemies to the United States.

Late in 1776 General Charles Lee had been taken prisoner. By permission of General Howe, he wrote to Congress requesting a conference upon matters important to himself. Benjamin Rush recorded in his diary that Lee, with all his great qualities, possessed the weakness of being easily imposed on. He could not judge men or character. Due to his love for negotiations and conferences the colonists believed he had thrown himself in the way of being captured.[47] Congress decided to give every assistance to his personal safety, but not wishing to hinder negotiations going on in Europe and feeling an official conference unnecessary to secure his personal safety, declined the request. The conservatives of course denounced this action, but their words carried less weight this time than in the discussion over the proposed Staten Island conference. Congress thought General Howe's attempt to hold out the delusive idea of a reconciliation through another conference a sneaking effort to throw a languor upon the military preparations of the states. Congress had offered its terms in the Staten Island conference: it would treat with the British nation for peace, if as a preliminary the independence of the United States was acknowledged, and any negotiations that did not grant this point it considered insidiously devised to break up the American union. Though the commander-in-chief of the British Army and Navy retained the power of pardon granted in the "Capture Act," nothing beyond rumors existed after 1776 to pester Congress with requests for negotiation.

By no means were the Howes pleased with the offers they had to make to the colonies. Both desired a genuine reconciliation; and when they realized that was impossible, they sought to be relieved from their unpleasant commands. Their decision to resign and return to England was hastened by the appointment of the Carlisle commission, which was to try to effect a reconciliation in 1778, "and the permission to return was already in the Admiral's hands when the news of D'Estaing's coming was received."[48] Remaining until the arrival of his successor, Admiral Howe sailed for England at the end of September, 1778. General Howe had preceded him by four months.

[47] Burnett, *Correspondence*, II, 263, *et seq.*
[48] Mahon, A. T., "Admiral Earl Howe," *Atlantic Monthly*, LXXIII, (1894), 28.

Embittered by the failure to effect a reconciliation and joining the many who sought to avoid the blame for the present unfortunate position of the nation, Lord Howe aired his disgust before the House of Commons by declaring that:

> He had been deceived into his command, and he was deceived while he retained it. Tired and disgusted, he desired permission to resign it; and he would have returned as soon as he obtained leave, but he could not think of doing so while a superior enemy remained in American seas; that, as soon as that impediment was removed, he gladly embraced the first opportunity of returning to Europe. Such, and the recollection of what he had suffered, were his motives for resigning the command, and such for declining any future service so long as the present ministry remained in office.[49]

Upon seeing the declaration of September 19 in a London paper, Lord John Cavendish took it with him to the House of Commons on November 6, 1776, and, after Lord North testified to its authenticity, had the clerk read it. He felt elated at this suggestion of peace, but he condemned the ministry for not communicating it to the house. If the ministers were sincere in their promise to repeal all the laws by which the colonists felt themselves aggrieved, the opposition would like to join in such an excellent move. He then moved that the house resolve itself into a committee of the whole to consider the revision of all such acts.[50] After a bitter debate and a reiteration of all the arguments pro and con on the subject of reconciliation, the motion was lost 47 to 109.

The Howe commission failed to restore peace because it had nothing to offer that was acceptable. It could merely receive the unconditional submission of the American people. A plan providing for the repeal of all acts passed since 1763 of which the colonies complained would have been unacceptable to America after June, 1776. The Declaration of Independence precluded all hope of reconciliation unless the success of British arms should make it possible. The commission injured the cause of independence but temporarily if at all. It aided that cause more by the united opposition it aroused. Opposition to the commission became a sort of common cause on which the revolutionary party could build a more solid union.

[49] Mahon, A. T., "Admiral Earl Howe," *Atlantic Monthly*, LXXIII, (1894), p. 29.
[50] *Parliamentary History*, XVIII, 1434.

A BIBLIOGRAPHY OF NORTH CAROLINA IMPRINTS, 1761-1800

By Douglas Crawford McMurtrie

II

[*Continued from January, 1936*]

1783

Allen, Walter.

Twenty Pounds | Reward. | Lost on the 17th of October, by the subscriber, on the | road between Newbern and Curtis's ferry, a large black lea- | ther pocket-book, . . . | [*15 lines*] | Walter Allen. | Craven Co. Swifts-creek, Decemb. 10th, 1783. | [*Row of typographic ornaments*] | Newbern, Printed by R. Keith, of whom may be had the Almanack for the Year of our Lord 1784. [106]

27.5 x 20.5 cm. Broadside.
The lost pocket-book contained a number of certificates for values amounting to over a thousand pounds specie and $15,000 "paper." On the verso of the copy described is an affidavit dated December 4, 1787, to the effect that the loser "hath never received any part of the said Certificates nor any Compensation for them and that he did forward by William Blount sundry Copies of this Advertisement to the seat of the General Assembly in the Spring of the year 1784."
Library of Congress, Washington, D. C.

North Carolina. General Assembly. House of Commons.

[*Typographic headband*] | The | Journal | of the | House of Commons. | [*Rule*] | At a General Assembly begun and held at Hillsborough, on the eighteenth day of April, | in the year of our Lord, one thousand seven hundred and eighty-three, and in the seventh | year of the Independence of the United States of America: Being the first Session of this | Assembly. | [*Rule*] | [Halifax: Printed by Thomas Davis.] | [1783.] [107]

16.5 x 22 cm. 67 p.
Caption title. Imprint (undated) on p. 67.
The session lasted from April 18 to May 17, 1783.
Henry E. Huntington Library, San Marino, Cal.

North Carolina. Laws, Statutes, etc.

[*Typographic headband*] | Acts | of | Assembly | of the State of | North-Carolina. | [*Rule*] | At a General Assembly begun and held at Hillsborough, on the eighteenth | day of April, in the year of our Lord,

one thousand seven hundred and | eighty three, and in the seventh year of the Independence of the United | States of America: Being the first Session of this Assembly. | [*Rule*] | [Halifax: Thomas Davis, 1783.] [108]

21.5 x 33.5 cm. 50 p.
Caption title. Imprint at end: Halifax: Printed by Thomas Davis.
Weeks no. 58. Evans 18069.
Harvard Law School Library, Cambridge, Mass. (lacking p. 1-2); North Carolina Supreme Court Library, Raleigh, N. C. (44 p.); University of North Carolina, Chapel Hill, N. C. (2 copies, 1 lacking p. 45-50); Library of Congress, Washington, D. C.

1784

[HAY, JOHN]

[An Address to the Speakers of both Houses of Assembly, containing observations, moral and political, upon the proceedings of the late Assembly. By Tiberius Gracchus. Newbern: Printed by Robert Keith, 1784.] [109]

A. M. Hooper, writing to James Iredell, November 23, 1783, said of this address "It is to be served up to the public in a sixpenny pamphlet . . ." Hooper said that the style was dull and in many parts ungrammatical and that it appeared worse from the press than in manuscript. (G. J. McRee, *Life and Correspondence of James Iredell*, II, 75, 89, cited by Weeks 1896, p. 248-9.)
Weeks no. 61. Evans 18523 (not located nor collated; apparently taken from Weeks).

NORTH CAROLINA. GENERAL ASSEMBLY. HOUSE OF COMMONS.

[*Headband of type ornaments*] | The | Journal | of the | House of Commons. | [*Heavy rule*] | At a General Assembly begun and held at Hillsborough, on the Nineteenth Day of | April, in the Year of our Lord One Thousand Seven Hundred and Eighty-Four, and | in the Eighth Year of the Independence of the United States of America: Being the | First Session of this Assembly. | [*Heavy rule*] | [Halifax: Thomas Davis, 1784.] [110]

20.5 x 25.5 cm. 71 p.
Caption title. Imprint on p. 71: Halifax: Printed by Thomas Davis, 1784.
The session lasted to June 3, 1784.
Library of Congress, Washington, D. C.

NORTH CAROLINA. GENERAL ASSEMBLY. SENATE.

[*Headband of type ornaments*] | The Journal of | the | Senate | [*Heavy rule*] | At a General Assembly begun and held at Hillsborough, on the Nineteenth Day of | April, in the Year of our Lord One Thousand

Seven Hundred and Eighty-Four, and | in the Eighth Year of the Independence of the United States of America: Being the | First Session of this Assembly. | [*Heavy rule*] | [Halifax: Thomas Davis, 1784.] [111]

20.5 x 26 cm. 52 p.
Caption title. Imprint on p. 52: Halifax: Printed by Thomas Davis. 1784.
Library of Congress, Washington, D. C.

North Carolina. Governor (Alexander Martin).
[State of North Carolina, ss. By his Excellency Alexander Martin, Esq; Governor, Captain-General and Commander in Chief over the State aforesaid. A Proclamation of the Definitive Treaty of Peace. New-Bern: Printed by Robert Keith. 1784]. [112]

Folio. Broadside.
Title from Weeks no. 60 (not located). Evans 18821 (not located; apparently taken from Weeks).

North Carolina. Laws, Statutes, etc.
[*Typographic headband*] | Acts | of | Assembly | of the State of | North-Carolina. | [*Rule*] | At a General Assembly begun and held at Hillsborough, on the Nineteenth | day of April, in the year of our Lord one Thousand Seven Hundred and | Eighty Four, and in the Eighth Year of the Independence of the said State: | Being the First Session of this Assembly. | [*Rule*] | [Halifax, Thomas Davis, 1784.] [113]

20.5 x 26.5 cm. 92, [2] p.
Caption title. Imprint at end: Halifax: Thomas Davis.
Weeks no. 59.
North Carolina State Library, Raleigh, N. C.; University of North Carolina, Chapel Hill, N. C.; Harvard Law School Library, Cambridge, Mass. (88 p. only).

North Carolina. Laws, Statutes, etc.
[*Headband of type ornaments*] | Acts | of | Assembly | of the state of | North-Carolina. | [*Rule*] | At a General Assembly begun and held at Newbern on the Twenty Second of | October, in the Year of our Lord One Thousand Seven Hundred and Eighty- | Four, and in the Ninth Year of the Independence of the said State: Being | the first Session of this Assembly. | [*Rule*] | [Newbern: Printed by Thomas Davis, 1784.] [114]

19 x 25.5 cm. 1 leaf, 64 p.
The leaf preceding the first page contains "the estimate of the civil list, . . . of 1785 . . . published by the public printer with the laws of this session," in accordance with a resolution of the assembly dated November 25, 1784. In this estimate is the item "Public Printer, four hundred pounds."

Caption title on p. 1. Imprint on p. 64: Newbern: Printed by Thomas Davis. Acts ratified November 25, 1784.
Weeks no. 62.
University of North Carolina, Chapel Hill, N. C.; Supreme Court Library, Raleigh, N. C.

1786

NORTH CAROLINA. COMPTROLLER.

Abstract of the Army Accounts of the North-Carolina Line, set-|tled by the Commissioners at Halifax from the 1st September, 1784, to | the 1st February, 1785; and at Warrenton in the Year 1786—designating | by whom the claims were receipted for respectively. | [1786?] [115]

18 x 22.5 cm. 224 p.
Caption title; no imprint.
Signed: J. Craven, Comptroller.
University of North Carolina, Chapel Hill, N. C. (2 copies, one lacking p. 1-4 and 223-224).

NORTH CAROLINA. GENERAL ASSEMBLY.

The | Journals | of the | General Assembly | of the | State | of | North Carolina. | [*Thin-thick-thin rule*] | Newbern: Printed by Arnett & Hodge, Printers to the State. | M.DCC.LXXXVI. [116]

21 x 35.5 cm. 1 leaf (title), 44, 52 p.
Contains (with separate caption titles):
The | Journal | of the | Senate. | [*Rule*] | At a General Assembly, begun and held at Newbern on the nineteenth day of | November, in the year of our Lord One Thousand Seven Hundred and Eighty-Five, | and in the tenth year of the independence of the said State, it being the first session | of this Assembly. | [*Rule*].
The | Journal | of the | House of Commons. | [*Rule*] | At a General Assembly, begun and held on the nineteenth day of | November, in the year of our Lord One Thousand Seven Hundred and Eighty-Five, | and in the tenth year of the independence of the said State, it being the first session | of this Assembly. | [*Rule*].
Weeks nos. 64-65 (from Sabin). Evans 19869. Sabin 55633, 55630.
Library of Congress, Washington, D. C.

NORTH CAROLINA. GENERAL ASSEMBLY.

Account of Taxes. | [Newbern: Arnett & Hodge, 1786.] [117]

21 x 35.5 cm. 20 p.
Caption title. Imprint at end, on p. 20: Newbern: Printed by Arnett & Hodge, by Order of the General Assembly | of the State of North-Carolina.
Issued as an appendix to the Journals of the General Assembly, session of Nov. 19—Dec. 29, 1785.
Evans 18971.
Library of Congress, Washington, D. C.

North Carolina. Laws, Statutes, etc.

The | Laws | of the | State | of | North-Carolina, | Passed at Newbern, December, 1785. | [*Thin-thick-thin rule*] | Newbern: Printed by Arnett & Hodge, Printers to the State. | M.DCC.LXXXVI. [118]

20.5 x 35 cm. [2], 42 p.

Chapter XXVII of the laws of 1785, "An Act for ascertaining the Duties and Salary of the Public Printer," provided "That it shall be the Duty of the Printer for this State, who shall be chosen by the joint Ballot of the two Houses of Assembly, to print the Laws and Journals of the General Assembly, the Governor's Proclamations, such Accounts of the Executive Officers as the General Assembly may order to be printed for public information, and such Bills as they may order to be printed for Consideration, and to print the Titles of such Laws as shall pass during each Session, one Copy for each Member, and the Certificates for the Attendance of the Members. . . . That one thousand one hundred and six Copies of the Laws shall be printed on a good Type, one hundred and sixty-two Copies of the Journals of each House of Assembly, and one hundred and sixty-two Copies of the several Proclamations, Accounts or Bills ordered to be published; and that the whole of the Laws and Journals be printed on Paper of the same size. . . . That the public Printer shall be allowed the Sum of five hundred Pounds by the Year, in full for performing the public Printing, including the Price of Paper and the whole of his Trouble and Expence in distributing the Acts and Journals as before directed; one Half of which Sum shall be advanced at the first Session of the several General Assemblies, the other Half as soon as he shall have produced to his Excellency the Governor for the Time being, Receipts from the several District Clerks . . . that he has furnished them respectively with a proper Number of the Laws and Journals."

The act provided that the laws and journals "be delivered at the Office of the Clerk of the Supreme Court in the Districts of Edenton, Newbern, Wilmington, Halifax, Hillsborough, Salisbury and Morgan," for distribution to the several counties in the respective districts, in the following quantities:

	Laws	*Journals*
Edenton	176	28
Newbern	180	28
Halifax	130	22
Wilmington	160	25
Hillsborough	150	19
Salisbury	180	25
Morgan	130	15

Weeks no. 63. Evans 19870.

University of North Carolina, Chapel Hill, N. C.; Supreme Court Library, Raleigh, N. C.; Harvard Law School Library, Cambridge, Mass. (with t. p. in photostat); Association of the Bar, New York, N. Y.

1787

CRAWFORD, DUGALD.

A | Sermon, | Preached before the | Cape-Fear Union Lodge | of the | Ancient and Honourable Order | of | Free and Accepted Masons, | and | a number of visiting brethren. | Assembled at Fayetteville on December 27, 1786, | Being the day of St. Jonh [*sic*] the Evangelist. | [*Rule*] | By the Reverend Dugald Crawford, | formerly one of the Chaplains to the Scotch Brigade in the Dutch Service, now Minister at Fayetteville. | [*Rule*] | Fayetteville: | Printed by Hodge & Blanchard. | M,DCC,-LXXXVII. [119]

11 x 17 cm. 18 p.

University of North Carolina, Chapel Hill, N. C.

The independent | Citizen, | Or, The Majesty of the People asserted against the U-|surpations of the Legislature of North-Carolina, in se-|veral acts of Assembly, passed in the years 1783, 1785, 1786 and 1787. | [*Rule*] | [*5 lines, quotations*] | [*Rule*] | [Newbern: Printed by Francois-Xavier Martin, 1787.] [120]

15.5 x 23.5 cm. 1 leaf, 21 p.

The first and last leaves are really blue paper wrappers; the first is printed on both sides, the last on recto only.

No imprint to show place, printer, or date. The address, to W. R. Davie, is dated July 30, 1787, and this title was advertised in Martin's *North-Carolina Gazette*, Newbern, August 15, 1787: "Now in the press and will be published next week." Some of the copies located have a MS note on the title: "Printed by Mons. Martin Newbern An apology for the Incorrectness of the Press."

Signed "An Independent Citizen" in a letter on the verso of the first leaf, dated July 30, 1787, dedicating the work to "The Honorable W. R. Davie, Esq; counsellor at law, one of the members of the Federal Convention." The author is not known; Archibald Maclaine has been suggested.

The writer complains of restrictions imposed upon jury trials by the legislature of North Carolina.

Evans 20426.

Henry E. Huntington Library, San Marino, Cal.; Sondley Library, Asheville, N. C.; University of North Carolina, Chapel Hill, N. C.; Library of Congress, Washington, D. C.

MACLAINE, ARCHIBALD.

An | Address | to the | People of North-Carolina, | with the | charges against the judges in the last Assembly, | the protests in both Houses, |

And other Papers relative to that Business. | [*Rule*] | By Archibald Maclaine. | [*Rule*] | [Newbern: Hodge and Blanchard, 1787.] [121]

19 x 33 cm. 16 p.

Caption title. Imprint on p. 16: Newbern: Printed by Hodge and Blanchard.

Issued with the journals of the General Assembly, session of November, 1786.

Evans 20595.

Library of Congress, Washington, D. C.

North Carolina. General Assembly.

[The Journals of the General Assembly of the State of North Carolina. Newbern: Hodge & Blanchard, 1787.] [122]

19 x 33 cm. 76, 80, 8, 16, 16 p.

No title page in copy described. Contains, with separate caption titles:

The | Journal | of the | Senate. | [*Rule*] | At a General Assembly begun and held at Fayetteville, on the twentieth day of November, in the year of | our Lord one thousand seven hundred and eighty-six, and of the sovereignty and independence of the | United States of America the eleventh, being the first session of said Assembly. | [*Rule*]. 76 p.

The | Journal | of the | House of Commons. | [*Rule*] | At a General Assembly begun and held at Fayetteville, on the eighteenth day of November, . . . | [*Last 2 lines as above*]. 80 p.

[*Thin-thick-thin rule*] | Appendix, No. 1. | Bills published for Consideration, agreeable to resolves of the General Assembly. 8 p.

[*Thin-thick-thin rule*] | Appendix No. II. | State of North-Carolina, in General Assembly, January 5, 1787. | Resolved, That the Public Printer publish with the Journals of the present Session, | the Statement of the Receipts and Expenditures of the Treasury (including the 100,000£. | emitted by the Act of the last General Assembly) from January, 1784, to the 1st of January | 1787, as reported by the Committee of Finance No. 2. | [*Rule*]. 16 p.

An | Address | to the | People of North-Carolina, | with the | Charges against the Judges in the last Assembly, | The Protests in both Houses, | and other Papers relative to that Business. | [*Rule*] | By Archibald Maclaine. 16 p. (See no. 125).

The session lasted to January 6, 1787.

Evans 20594, 20595.

Library of Congress, Washington, D. C.; Wisconsin Historical Society, Madison, Wis. (lacking Senate Journal).

North Carolina. Laws, Statutes, etc.

[*Typographic headband*] | The | Laws | of | North-Carolina. | [*Rule*] | At a General Assembly, begun and held at Fayetteville on the eighteenth day | of November, in the Year of our Lord One Thousand Seven Hun-

dred | and Eighty-six, and in the Eleventh Year of the Independence of the said | State, being the first Session of the said Assembly. | [*Rule*] | [Fayetteville, 1787.] [123]

21 x 35 cm. 55, [1] p.

Caption title. Imprint at end: Fayetteville: Printed by Hodge & Blanchard, Printers to the State.

Weeks no. 66. Evans 20596.

Harvard Law School Library, Cambridge, Mass.; University of North Carolina, Chapel Hill, N. C.; Supreme Court Library, Raleigh, N. C. (imperfect); Library of Congress, Washington, D. C.; Massachusetts Historical Society, Boston, Mass.; Association of the Bar, New York, N. Y.

1788

[*Typographic headband*] | To the | People | of the District of | Edenton. | [*Row of type ornaments*] | No. I. | My Friends and Fellow Countrymen, | . . . | [Edenton ? 1788.] [124]

17 x 21 cm. 13 p.

Caption title; no imprint. Signed "A Citizen and Soldier." Contains seven numbers. Dated at end "August 1788."

"The hour fast approacheth when the trumpet of calamity will reach you. After having unequivocally experienced the impotent feebleness of confederate America, an efficient government was offered to you; which with disdainful scorn, a majority in Convention have treacherously rejected. . . ."

Sondley Library, Asheville, N. C.

[MACLAINE, ARCHIBALD, and JAMES IREDELL]

[An Address to the People of North Carolina, by Publicola. Answer to George Mason's objections to the new constitution, recommended by the late convention at Philadelphia, by Marcus. Newbern: Printed by Hodge & Wills, 1788.] [125]

Maclaine wrote as "Publicola" and Iredell as "Marcus." The *Answer to George Mason* "was the work of James Iredell and is dated January 8, 1788. It was first printed in the *State Gazette* [in the latter part of 1787] in fragments and in the pamphlet form was accompanied by an address to the people by Publicola (Archibald Maclaine). It was republished during the same year with additions by William R. Davie and others." (Weeks 1896, p. 264, no. 68*a*, and p. 249.) Evans 21041 (not located nor collated) evidently refers to the second edition, as it is listed under Davie's name.

This defence of the Constitution, earlier than all but the earliest numbers of the *Federalist*, is reprinted in McRee's *Iredell*, II, 186-215. Ford's *Bibliography of the Constitution*, no. 24, identifies William R. Davie as "Publicola," Iredell as "Marcus," and says Maclaine "apparently contributed as well."

Probably Weeks no. 70.

North Carolina. Constitutional Convention (1788).

State of North-Carolina. | In Convention, August 1, 1788. | [Edenton? Printed by Hodge & Wills ? 1788.] [126]

20 x 31 cm. [4] p.

Caption title; no imprint, but probably printed at Edenton by Hodge & Wills, who later printed the *Proceedings and Debates* of this convention.

Contains extracts from the convention journal regarding the Declaration of Rights and proposed amendments to the federal constitution. Copies were sent to the federal congress and to the governors of the several states by direction of the convention.

Weeks no. 69 (not located). Evans 21341 (not located nor collated; supplies imprint "Hillsborough: Printed by Robert Ferguson, 1788").

Library of Congress (Manuscript Division) Washington, D. C.

North Carolina. Constitutional Convention (1788).

[*Headband of type ornaments*] | The | Journal | of the | Convention | of | North-Carolina. | [*Line of type ornaments*] | [Hillsborough: Printed by Robert Ferguson, 1788.] [127]

13.5 x 20 cm. 16 p.

Caption title. Imprint at end: Hillsborough: Printed by Robert Ferguson.

"At a Convention begun and held at Hillsborough, on the twenty-first day of July, in the year of our Lord one thousand seven hundred and eighty-eight and of the Independence of the United States of America the thirteenth, in pursuance of a resolution of the last General Assembly, for the purposes of deliberating and determining on the proposed plan of Federal Government, and for fixing the unalterable seat of government of this state." This convention rejected the federal constitution pending action by the federal congress on proposed amendments thereto.

Evans 21337 (not located). Weeks 1896, p. 264, no. 72*a*.

University of North Carolina, Chapel Hill, N. C.

North Carolina. Declaration of Rights.

A Declaration of Rights, made by the Representatives of | the Freemen of the State of North-Carolina. | [Newbern: Hodge and Blanchard, 1788.] [128]

19 x 29 cm. 4 p.

Followed on p. 2-4 by: The Constitution, or Form of Government, agreed to | and resolved upon by the Representatives of the Freemen of the State of North-|Carolina, elected and chosen for that particular Purpose, in Congress assem-|bled, at Halifax, the Eighteenth

Day of December, in the Year of Our Lord One | Thousand Seven Hundred and Seventy-Six.

Caption titles. Imprint on p. 4: [Newbern: H]odge & Blanchard. Printed for the use of the delegates to the constitutional convention of 1788.

Weeks no. 67. Evans 20593.

University of North Carolina, Chapel Hill, N. C. (badly mutilated).

NORTH CAROLINA. GENERAL ASSEMBLY. HOUSE OF COMMONS.

[*Thin-thick-thin rule*] | The | Journal | of the | House of Commons. | [*Rule*] | State of North-Carolina. | At a General Assembly begun and held at Tarborough, on the nineteenth day of No-|vember, in the year of our Lord one thousand seven hundred and eighty-seven, | and of the sovereignty and independence of the United States of America the | twelfth, being the first session of the said Assembly. | [*Rule*] | [Newbern: Hodge and Wills, 1788?] [129]

19 x 33.5 cm. 56, [8] p.

Caption title. Imprint on p. 56: Newbern: Printed by Hodge and Wills, Printers to the State.

The appendix of eight unnumbered pages has caption title as follows:

A State of the Treasury of North-Carolina for the year 1787—The Public Treasurer's Account Current, together with a list of the | Balances due from several Sheriffs Within the State for the Years 1784, 1785 and 1786. | [*Rule*] | John Haywood, Public Treasurer, In Account with the State of North-Carolina, Dr. | [*Rule*].

The session lasted to December 22, 1787.

Evans 21338.

Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.; Wisconsin Historical Society, Madison, Wis.

NORTH CAROLINA. GENERAL ASSEMBLY. SENATE.

[*Thin-thick-thin rule*] | The | Journal | of the | Senate. | [*Rule*] | State of North-Carolina. | At a General Assembly begun and held at Tarborough, on the nineteenth day of No-|vember, in the year of our Lord one thousand seven hundred and eighty-seven, | and of the sovereignty and independence of the United States of America the | twelfth, being the first session of the said Assembly. | [*Rule*] | [Newbern: Hodge and Wills, 1788?] [130]

19 x 33.5 cm. 51 p.

Caption title. Imprint on p. 51: Newbern: Printed by Hodge and Wills, Printers to the State.

Library of Congress, Washington, D. C.; Wisconsin Historical Society, Madison, Wis.

North Carolina. Laws, Statutes, etc.

[*Typographic headband*] | The | Laws | of | North-Carolina. | [*Rule*] | At a General Assembly, begun and held at Tarborough on the eighteenth | day of November, in the Year of our Lord One Thousand Seven Hun-| dred and Eighty-seven, and in the Twelfth Year of the Independence of | the said State, being the first Session of the said Assembly. | [*Rule*] | [Newbern: Hodge & Wills, 1788?] [131]

21 x 34.5 cm. 30, [2] p.

Caption title. Imprint at end: Newbern: Printed by Hodge & Wills, Printers to the State.

Weeks no. 68. Evans 21340.

Harvard Law School Library, Cambridge, Mass.; Supreme Court Library, Raleigh, N. C.; University of North Carolina, Chapel Hill, N. C. (imperfect); Library of Congress, Washington, D. C.; Massachusetts State Library, Boston, Mass.; Association of the Bar, New York, N. Y.

1789

Baptists. North Carolina. United Baptist Association.

Minutes | of the United Baptist Association, | formerly called the | Kehuky Association, | Held at Whitefield's Meeting-House, in Pitt County, North-Carolina, | October, 1789. | [Edenton ? Hodge & Wills ? 1789.] [132]

15.5 x 18 cm. 8 p.

Caption title; no imprint. Possibly printed at Edenton, where the minutes of the same association for 1791 were printed.

Evans 21910 (not located nor collated; following Sabin 37166).

Congregational Library, Boston, Mass.

[Halling, Solomon ?]

[A Discourse, delivered before Saint John's Lodge, No. 2, of Newbern, on the Festival of St. John the Baptist, June 24, 5789. Newbern ? Francois-Xavier Martin ? 1789.] [133]

Noted as advertised in the *State Gazette of North-Carolina*, Edenton, October 15, 1789, and succeeding issues. It seems likely, but it is not certain, that Solomon Halling was the author; see his Masonic address of December, 1789, no. 146, below. It also seems likely that this was printed in Newbern, though advertised for sale in Edenton, and perhaps elsewhere in the State.

Evans 21798 (not located nor collated, but with imprint "Newbern: Printed by Hodge & Wills, 1789.") The imprint assumed by Evans is wrong, as Hodge & Wills removed their *State Gazette of North-Carolina* from Newbern to Edenton in the summer of 1788. F. X. Martin was the only printer in Newbern at the date of this *Discourse*.

[LOW, SAMUEL]

[The Politician Outwitted. A Comedy—in Five Acts, written in the year 1788. By an American. Edenton? Hodge & Wills? 1789.] [134]

Advertised as "for sale at the Printing Office" in the *State Gazette of North Carolina* of Oct. 15, 1789, and in succeeding issues over a period of ten months. Although it is not certain that this was printed in Edenton, the active interest of the printers in promoting its sale, as indicated by this persistent advertising, makes it seem likely to me that this work was of local authorship and manufacture.

NORTH CAROLINA. CONVENTION OF 1788.

Proceedings | and | Debates | of the | Convention | of | North-Carolina, | Convened at Hillsborough, on Monday the 21st Day | of July, 1788, for the Purpose of deliberating | and determining on the Constitution recom-|mended by the General Convention at Philadel-|phia, the 17th Day of September, 1787. | To which is prefixed | The Said Constitution. | [*Filet*] | Edenton: | Printed by Hodge & Wills, Printers to the State. | M,DCC,LXXXIX. [135]

11 x 19.5 cm. 280 p.

One thousand copies printed at the expense of a few Federalists for distribution among the people (Weeks, No. 72).

Advertised ("For Sale, By the Printers hereof, Price 10s") in the *State Gazette of North-Carolina* of June 18, 1789, and from time to time for about a year later.

Weeks 72. Evans 22037. Sabin 55667.

New York Public Library, New York, N. Y.; Sondley Library, Asheville, N. C.; Duke University Library, Durham, N. C.; University of North Carolina, Chapel Hill, N. C.; Library of Congress, Washington, D. C.; John Crerar Library, Chicago, Ill.; American Antiquarian Society, Worcester, Mass.; Cornell University Library, Ithaca, N. Y.; John Carter Brown Library, Providence, Rhode Island; Bruce Cotten, Baltimore, Md.

NORTH CAROLINA. CONVENTION OF 1789.

State of | North-Carolina. | In Convention, November 23, 1789. | Resolved, . . . | [Edenton: Hodge & Wills, 1789.] [136]

19 x 27 cm. Broadside. Text in 2 columns.

No imprint, but presumably printed by the printers of the convention journal.

The resolution, signed in handwriting "Sam. Johnston Pres." enjoins it upon the representatives of North Carolina in the congress at Philadelphia to proposed eight amendments to the Constitution of the United States.

Evans 22039.

New York Public Library, New York, N. Y.

North Carolina. Convention of 1789.

[*Headband of type ornaments*] | The | Ratification | of the | Constitution | of the | United States, | By the State of North-Carolina. | [*Rule*] | State of North Carolina. | In Convention, November 21, 1789. | [Edenton: Hodge & Wills, 1789?] [137]

10 x 18.5 cm. 27 p.

Caption title; no imprint. Includes (p. [15]-18) "A declaration of rights made by the representatives of the freemen of the state of North-Carolina," and (p. [19]-27) the North Carolina constitution of 1776.

New York Public Library, New York, N. Y.; Sondley Library, Asheville, N. C.

North Carolina. Constitutional Convention, 1789.

[*Line of florid type ornaments*] | Journal | of the | Convention, | of the | State of North-Carolina. | [*Double rule*] | At a Convention begun and held at Fayetteville, on the Third Monday | of November, One Thousand Seven Hundred and Eighty-Nine, agreeable to | the Resolutions of the last General Assembly, bearing Date the Seventeenth of | November, One Thousand Seven Hundred and Eighty-Eight. | [*Double rule*] | [Edenton: Hodge & Wills, 1789?] [138]

17 x 21 cm. 16 p.

Caption title. Imprint on p. 16: Edenton: Printed by Hodge & Wills, Printers to the State.

Weeks no. 81.

North Carolina Historical Commission, Raleigh, N. C.; University of North Carolina, Chapel Hill, N. C.

North Carolina. General Assembly. House of Commons.

[*Type ornaments*] | Journal | of the | House of Commons. | [*Rule*] | State of North-Carolina. | At a General Assembly begun and held at Fayetteville, on the Third Day of Novem-|ber, in the Year of our Lord One Thousand Seven Hundred and Eighty-Eight, | and in the Thirteenth Year of the Independence of the United States of America, | being the First Session of the said Assembly. | [*Rule*] | [Edenton: Hodge & Wills, 1789?] [139]

22 x 37.5 cm. 56, [12] p.

Caption title. Imprint on p. 56: Edenton: Printed by Hodge & Wills, Printers to the State.

The appendix has the following title: An Account of Monies received in Part of the Taxes of the Year 1787. | [*Rule*] | John Hay-

wood, Public Treasurer, In Account with the State of North-|Carolina. | [*Rule*].
The session lasted to December 6, 1788.
Weeks nos. 73 and 75. Evans 22034, 21336.
Henry E. Huntington Library, San Marino, Cal.; Supreme Court Library, Raleigh, N. C.; Library of Congress, Washington, D. C.; Massachusetts State Library, Boston; Wisconsin Historical Society, Madison, Wis.

NORTH CAROLINA. GENERAL ASSEMBLY. SENATE.

[*Typographic headband*] | Journal | of the | Senate. | [*Rule*] | State of North-Carolina. | At a General Assembly begun and held at Fayetteville, on the Third Day of Novem-|ber in the Year of our Lord One Thousand Seven Hundred and Eighty-Eight, | and in the Thirteenth Year of the Independence of the United States of America, | being the First Session of the Said Assembly. | [*Rule*] | [Edenton: Printed by Hodge & Wills, Printers to the State.] | [1789?] [140]

22 x 36.5 cm. 41 p.
Caption title. Imprint as above (undated) on p. 41.
Weeks no. 74. Evans 22035.
Henry E. Huntington Library, San Marino, Cal.; Supreme Court Library, Raleigh, N. C.; Library of Congress, Washington, D. C.; Massachusetts State Library, Boston, Mass.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Rule*] | At a General Assembly, begun and held at Fayetteville, on the third day | of November, in the Year of our Lord One Thousand Seven Hundred and | Eighty-Eight, and in the Thirteenth Year of the Independence of | the said State, being the first Session of the said Assembly. | [*Rule*] | [Edenton: Hodge & Wills, 1789?] [141]

21 x 34.5 cm. 27, [1] p.
Caption title. Imprint at end: Edenton: Printed by Hodge & Wills, Printers to the State.
Weeks no. 76.
Harvard Law School Library, Cambridge, Mass.; Supreme Court Library, Raleigh, N. C.; University of North Carolina, Chapel Hill, N. C. (imperfect); Henry E. Huntington Library, San Marino, Cal.; Library of Congress, Washington, D. C.; Massachusetts State Library, Boston, Mass.; New York Public Library, New York, N. Y.; Association of the Bar, New York, N. Y.

North Carolina.

[Regulations for the Exercise and Discipline of the Cavalry of the Halifax District. Edenton: Hodge & Wills, 1789.] [142]

Advertised in the *State Gazette of North Carolina*, Edenton, October 15, 1789, and in succeeding issues. There was no established press at Halifax until 1792, though Thomas Davis had done some printing there in 1784.

Evans 22038 (not located nor collated, but with imprint "Edenton: Printed and sold by Hodge & Wills, 1789.")

Thayer, John.

An Account | of the | Conversion | of the Reverend | Mr. John Thayer, | lately a | Protestant minister, | At Boston in North-America, | Who embraced the Roman Catholic Religion at Rome, on the | 25th of May, 1783. | Written by himself. | To which are annexed, | several extracts | from a | letter written to his brother, in answer to some | objections. | Also, | A Letter from a Young Lady lately received by him into the Church, | written after making her first Communion. | [*2 lines, quotation*] | [*Filet*] | The sixth edition. | [*Filet*] | Wilmington, (North-Carolina:) | Reprinted by Bowen & Howard. | [*Short rule*] | M.DCC.-LXXXIX. [143]

14 x 22.5 cm. 42 p.

On the title page of the Massachusetts Historical Society copy, below the date, the following lines have been imprinted, evidently as an afterthought: For, and at the Expence of | The Reverend Patrick Cleary.

Letters in the text are dated from various points in Europe in the year 1787. A fifth edition appeared at Baltimore in 1788.

Sondley Library, Asheville, N. C.; Massachusetts Historical Society, Boston, Mass. (lacking p. 41-42).

Thomas, William.

[The North Carolina Almanac, for the Year of our Lord 1790. Fayetteville: Sibley & Howard, 1789?] [144]

Advertised as "Just Published by the Printers hereof, and for sale at their Office, and most of the stores in town" in the *North-Carolina Chronicle;* or, *Fayetteville Gazette* of Feb. 1, 1790.

Evans 22179 (not located nor collated).

1790

CARVER, JONATHAN.

[Travels through the Interior Parts of North-America, in the Years 1766, 1767, and 1768 . . . Fayetteville: Printed by George Roulstone? 1790.] [145]

It is assumed that the above title is referred to in the following notice from the *North-Carolina Chronicle; or, Fayetteville Gazette* of September 27, 1790: "Those gentlemen who had not an opportunity of subscribing for this paper at the commencement of the second volume, so as to obtain the beginning of the history of Carver's Travels, are hereby informed, that they can be furnished with that part of the said history which they may not get in their papers, printed separately; which will obviate any objection anyone may have to subscribing hereafter."

At the date of the above notice George Roulstone was printer of the Fayetteville newspaper for John Sibley & Co. Obviously, only a portion of the Carver work was reprinted in separate form, probably from the types used in printing it in the newspaper.

HALLING, SOLOMON.

[An Oration, delivered before St. John's Lodge, No. 2, of Newbern, the 27th December, in the year of Masonry, 5789, by Mr. Solomon Halling. Newbern? Francois-Xavier Martin ? 1790.] [146]

Noted as advertised in the *North-Carolina Chronicle; or, Fayetteville Gazette* of February 1, 1790. It seems likely, however, that this was printed in Newbern; see note on No. 133, above.

Evans 22550 (not located nor collated, but with imprint "Fayetteville, North Carolina: Printed by Sibley & Howard").

MARTIN, FRANCOIS-XAVIER.

[A Funeral Oration, on the Death of General Caswell. Fayetteville: Sibley & Howard, 1790.] [147]

Advertised for sale in the *North-Carolina Chronicle; or, Fayetteville Gazette* of Feb. 1, 1790.

[The Monitor; or a Poem on Dancing, addressed to the Ladies and Gentlemen of the Fayetteville Assembly. Fayetteville: Sibley & Howard, 1790.] [148]

Advertised in the *North-Carolina Gazette* of April 1, 1790, as "Just published at Fayetteville, and to be sold by the printer hereof" [F. X. Martin, at Newbern]. This title was probably printed by Sibley & Howard, who were at work at Fayetteville at that time.

Moore, John.

[Zeluco. Various Views of Human Nature, taken from life and manners, foreign and domestic. Edenton: Hodge & Wills, 1790.] [149]

Advertised in the *State Gazette of North-Carolina*, Edenton, July 2, 1790, and succeeding issues: "Just Published, and For Sale, at the Printing-Office, in two volumes duodecimo, handsomely bound and lettered, price only one dollar and a half, although the London edition is sold at 14s sterling . . . " In the advertisement the author is described as "the celebrated Dr. Moore, author of the well known travels through France, Germany and Italy."
The London edition of this work appeared in 1789.

North Carolina. General Assembly. House of Commons.

[*Row of type ornaments*] | Journal | of the | House of Commons. | [*Rule*] | State of North-Carolina. | At a General Assembly, begun and held at Fayetteville, on the Second Day of Novem- | ber, in the Year of our Lord One Thousand Seven Hundred and Eighty-nine, | and in the Fourteenth Year of the Independence of the United States: | Being the First Session of this Assembly. | [*Rule*] | [Edenton: Hodge & Wills, 1790?] [150]

19 x 33.5 cm. 71, 9 p.
Caption title. Imprint on p. 71: Edenton: Printed by Hodge & Wills, Printers to the State.
The 9-page appendix contains the account of John Haywood, public treasurer.
The session lasted to December 22, 1789.
Weeks no. 79.
Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.; Wisconsin Historical Society, Madison, Wis.

North Carolina. General Assembly. Senate.

[*Row of type ornaments*] | Journal | of the | Senate. | [*Rule*] | State of North-Carolina. | At a General Assembly, begun and held at Fayetteville, on the Second Day of Novem-|ber, in the Year of our Lord One Thousand Seven Hundred and Eighty-nine, | and in the Fourteenth Year of the Independence of the United States of America: | Being the First Session of this Assembly. | [*Rule*] | [Edenton: Hodge & Wills, 1790?] [151]

19 x 33.5 cm. 52 p.
Caption title, no imprint. The Journal of the House was printed by Hodge & Wills, Edenton.
Weeks no. 78.
Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.; Wisconsin Historical Society, Madison, Wis.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Double rule*] | At a General Assembly, begun and held at Fayetteville, | on the Second Day of November, in the Year of our Lord One Thou-|sand seven Hundred and Eighty-Nine, and in the Fourteenth Year of | the Independence of the said State; | being the first Session of the said | Assembly. | [*Double rule*] | [Edenton: Hodge & Wills, 1790?] [152]

20 x 32 cm. 57, [1] p.

Caption title. Imprint at end: Edenton: Printed by Hodge & Wills, Printers to the State.

Weeks no. 80.

Harvard Law School Library, Cambridge, Mass.; Association of the Bar, New York City, N. Y.; Supreme Court Library, Raleigh, N. C.; University of North Carolina, Chapel Hill, N. C. (imperfect); Library of Congress, Washington, D. C.

[The North-Carolina Almanac, for the Year of our Lord 1791. Fayetteville: Printed by George Roulstone (?) for John Sibley & Co., 1790.] [153]

Advertised in the *North-Carolina Chronicle; or, Fayetteville Gazette* of October 4, 1790, as "Just published, and for sale at the printing office . . . " In the issue of September 20 it had been announced that the almanac was "now in press, and on the first of October will be published."

George Roulstone was first named as printer of the *North-Carolina Chronicle* in the issue of September 13, 1790. With the issue of October 11 the paper was printed by Roulstone & Howard for John Sibley & Co. It was previously printed by Sibley & [Caleb D.] Howard, whose imprint should perhaps be assumed for this almanac.

Weeks no. 86.

PRESBYTERIAN CHURCH. SYNOD OF THE CAROLINAS.

A | Pastoral Letter, | from the | Synod of the Carolinas, | to the | churches under their care. | [*Filet*] | Fayetteville: | Printed by Sibley and Howard. | [*Short rule*] | M.DCC.XC. [154]

10 x 16.5 cm. 44 p.

Signed and dated at end: James Edmunds, Moderator. Poplar-Tent, September 8, 1789.

Advertised in F. X. Martin's *North-Carolina Gazette*, Newbern, April 1, 1790, as "Just published at Fayetteville and to be sold by the printer hereof . . ."

Henry E. Huntington Library, San Marino, Cal.; University of North Carolina, Chapel Hill, N. C. (lacking title page and last leaf).

Baptists. North Carolina. United Baptist Association.

Minutes | of the United Baptist Association, | formerly called the Kehukee Association, | Holden at Flat-Swamp Meeting-House, Pitt County, North-Carolina, October, 1791. | [Edenton: Hodge & Wills, 1791.] [155]

15.5 x 22 cm. 8 p.

Caption title. Imprint on p. 8: Edenton: Printed by Hodge & Wills. Evans 23152.

John Carter Brown Library, Providence, R. I.

Crawford, Dugald.

[Searmoin chuaidh a liobhairt aig an Raft-Swamp le D. Crauford, ministeir. Fayetteville. [*Latin quotation*]: Air na Clo-Bhualadh Le Sibley, Howard & Rowlston. MDCCXCI.] [156]

12mo. 50 p.

Contains also (p. 29-50):

Searmoin A chuaidh a liobhart aig an Raft-Swamp air an fhicheada' latha don cheud mhios do'n fhoghmnar, 1790. North Carolina, U. S. Le D. Crauford, Minister. [*2 lines, English quotation*] Fayetteville: Air na Clo-Bhualadh le Sibley, Howard & Rowlston. MDCCXCI.

No copy located. Title from Donald Maclean, *Typographia Scoto-Gadelica*, p. 102-103.

Hamilton, John.

To the Honorable the Speakers and Members of the General Assembly | of the State of North-Carolina. | The Petition of John Hamilton, Esquire, his Britannic Majesty's Consul for the State | of Virginia, in behalf of himself and of Archibald Hamilton & Co. late mer-|chants of Halifax County, in the State of North-Carolina. | [Newbern, 1791.] [157]

21.5 x 34 cm. 4-page folder printed on the 2 inside pages.

No imprint. Dated at Newbern, December 11, 1791, this petition seeks restitution of property confiscated under North Carolina acts of attainder of 1777, together with interest to date.

See No. 173 below.

Duke University Library, Durham, N. C.

Martin, Francois-Xavier.

The | Office and Authority | of a | Justice of the Peace, | and of | Sheriffs, Coroners, &c. | according to the Laws | of the | State of North-

Carolina. | By Francois-Xavier Martin, Esquire, | Attorney at Law. | [*Filet*] | Happy the Country where Law is not a Science! | [*Filet*] | Newbern: | Francois-Xavier Martin. | [*Short rule*] | 1791. [158]

Advertised in the *State Gazette of North-Carolina*, Edenton, August 20, 1790, as "now in the press," with a note by Martin: "Three years are now elapsed, since I issued my first proposals for printing this work by subscription. A variety of causes have occasioned this delay; the establishment of the federal government has not been the least. However, the work is tolerably advanced, and will be completed in a few months." The book was described as "Collected from different authorities, but chiefly from a work of this kind, published in 1774, by James Davis, Esq." In this advertisement the price was 25*s* 10*d* to be paid on subscribing. A few weeks later the *North-Carolina Chronicle; or, Fayetteville Gazette* of September 13, 1790, gave notice that subscriptions were being taken at that office for the Martin book at 15*s* 10*d* payable on subscribing. The Fayetteville paper of December 6, 1790, carried a notice dated November 20 to the effect that "the book . . . being more than half completed, subscriptions . . . will cease to be received on the first of December next . . ." In the *State Gazette of North-Carolina*, Edenton, April 1, 1791 (advertisement dated March 4) is the notice: "Subscribers to The Office and Authority of a Justice of the Peace, are respectfully informed that the work is out of the press since the 15th ult. [February] and that a number of copies have been sent to New York to be bound. I expect to have them back towards the middle of April. . . " Issues of Martin's *North-Carolina Gazette*, Newbern, for April and May, 1791, are not extant, but the issue of June 4 carried a notice of publication of the book: "This day is published, and for sale at the Printing-Office hereof, (Price thirty shillings) . . . "
Weeks no. 87. Evans 23535.

Harvard Law School Library, Cambridge, Mass.; University of North Carolina, Chapel Hill, N. C.; Henry E. Huntington Library, San Marino, Cal.; Library of Congress, Washington, D. C.; Harvard College Library, Cambridge, Mass.; American Antiquarian Society, Worcester, Mass. (lacking last leaf); New York Public Library, New York, N. Y. (lacking title page and three following leaves); John Carter Brown Library, Providence, R. I.; Bruce Cotten, Baltimore, Md.

NORTH CAROLINA. GENERAL ASSEMBLY. HOUSE OF COMMONS.

[*Type ornament*] | Journal | of the | House of Commons. | [*Rule*] | North-Carolina | At a General Assembly begun and held at Fayetteville, on the first day of November, in the | year of our Lord one thousand seven hundred and ninety, and in the fifteenth year of the | in-

dependence of the United States of America: Being the first session of this Assembly. | [*Rule*] | [Edenton: Hodge & Wills, 1791?] [159]

22 x 26 cm. 91 p.
Caption title. Imprint on p. 91: Edenton: Printed by Hodge & Wills, Printers to the State.
The session lasted to December 15, 1790.
Weeks no. 84.
Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C. (lacks all after page 88).

North Carolina. General Assembly. Senate.

[*Heavy rule*] | Alexander Martin, Esq. Governor. | [*Rule*] | [160]

23 x 27 cm. 48 p.
Dated Nov. 4, 1790 to December 8, 1790.
Weeks no. 83. Evans 22740.
Library of Congress, Washington, D. C. (lacking p. 1-4 and 33-44); Supreme Court Library, Raleigh, N. C.

North Carolina. Laws, Statutes, etc.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Double rule*] | At a General Assembly, begun and held at Fayetteville, | on the first day of November, in the Year of our Lord One Thousand | Seven Hundred and Ninety, and in the Fifteenth Year of the Inde-|pendence of the said State: Being the First Session of the said Assembly. | [*Double rule*] | [Edenton: Hodge & Wills, 1791?] [161]

20 x 32 cm. 28 p.
Caption title. Imprint at end: Edenton: Printed by Hodge & Wills, Printers to the State.
Weeks no. 85.
Harvard Law School Library, Cambridge, Mass.; Supreme Court Library, Raleigh, N. C.; University of North Carolina, Chapel Hill, N. C.; Library of Congress, Washington, D. C.; Association of the Bar, New York City, N. Y.; Pennsylvania Historical Society, Philadelphia, Pa.

North Carolina. Laws, Statutes, etc.

Laws | of the | State | of | North-Carolina. | Published according to Act of Assembly, | by James Iredell, | Now One of the Associate Justices of the Supreme Court of the United States. | Edenton: | Printed by Hodge & Wills, | Printers to the State of North-Carolina. | M,DCC,XCI. [162]

19 x 30.5 cm. 4 leaves, 712, xxi, [3] p.
Proposals for the publication of this work by subscription appeared in the *State Gazette of North-Carolina*, Edenton, September 8, 1788

(perhaps earlier) and for a number of weeks thereafter. The proposals announce that the work "is to be committed to the press immediately, and prosecuted with all possible dispatch," and go on to say: "It being impossible to ascertain the size of the volume, and consequently to fix the price, it is proposed that each subscriber advance the sum of 40*s* at the time of subscribing, to be deducted out of the price of the book, which will be rated at 12s. per 100 pages. The Publishers pledge themselves, that none of the copies unsubscribed for, will be offered for sale for less than 25 percent, above those subscribed for." The announcement concludes: "It is useless to expatiate on the general utility, or rather absolute necessity of this work. An undertaking of such magnitude having been thought by the legislature to surpass the ability of any individual they at their last sessions offered a loan of 500£ under certain conditions, to the Printer who would embark on it; but neither engaged to give any pecuniary stipend, or to purchase such number of copies as would ensure a reimbursement of the necessary expenses—relying that the individual citizens, who have more or less suffered by the want of such a Revisal and Collection, would by an early patronage enable the undertakers to compleat it. Hence the necessity of publishing this work by subscription. In this flattering hope, and fully confiding in the patriotism of our fellow citizens, we have contracted with the Commissioner, agreeable to act of Assembly, and now solicit the patronage of the citizens of North-Carolina, and of the curious and liberal minded in the neighbouring and other states."

The work was announced as "now in the press" in the *State Gazette of North-Carolina* of October 22, 1790. Of its actual publication no earlier notice has been found than that in the *State Gazette* of March 30, 1792, in which it was announced as "Just published and for sale by the printers hereof, (Price four pounds.)"

An appendix, p. 661-693, contains the laws of North Carolina, 1789, and a second appendix, beginning p. 694, contains the laws of 1790. The first of these was printed from a resetting of type. But the second was printed from the same type as was used for the separate issue of the laws of 1790 (no. 161), pages 697-710 agreeing exactly with the pages of the separate issue except for the signature marks and the page numbers.

A number of the copies here recorded also contain a series of supplements, 1792-1800 (and later), with the acts of subsequent sessions. No attempt has been made to note all locations of copies of these supplements.

Weeks no. 88. And see Weeks 1896, p. 265.

Supreme Court Library, Raleigh, N. C.; Sondley Library, Asheville, N. C. (three copies); The Woman's College of the University of North Carolina, Greensboro, N. C.; University of North Carolina, Chapel Hill, N. C. (three copies); Wilmington Public Library, Wilmington, N. C. (defective); Henry E. Huntington Library, San Marino, Cal.; Library of Congress, Washington, D. C.; Chicago Law Institute, Chicago, Ill.; Newberry Library, Chicago, Ill.; University

of Illinois, Urbana, Ill.; Massachusetts State Library, Boston, Mass. (two copies); Boston Public Library, Boston, Mass.; Harvard Law School Library, Cambridge, Mass.; Missouri State Library, Jefferson City, Mo.; Cornell University Library, Ithaca, N. Y.; Association of the Bar, New York City, N. Y.; Cincinnati Law Library Association, Cincinnati, Ohio; Pennsylvania Historical Society, Philadelphia, Pa., (Tower); John Carter Brown Library, Providence, R. I.; Lawson McGhee Library, Knoxville, Tenn.; Wisconsin Historical Society, Madison, Wis.; Bruce Cotten, Baltimore, Md.

[The North-Carolina Almanack, for the year 1792. Newbern: Francois-Xavier Martin, 1791.] [163]

Advertised in the *North-Carolina Gazette* of September 24, 1791: "In the Press, and will be published in a few days . . ." The issue of November 5 announced this almanac as "just published."

A Petition and Remonstrance to the President and Congress of the United States. | [Written by a North-Carolina Planter.] | [North Carolina? 1791?] [164]

35.5 x 52.5 cm. Broadside. Text in four columns.

This "petition," with no indication of source or date, is crudely composed in verse in the "Scottish Dialect" with a glossary of some of the unfamiliar terms at the end. It protests against the federal excise tax on whiskey which was imposed in 1791 and modified in 1792. Congressman Steele of Salisbury is mentioned in the text. The New York Public Library dates this "1791?"

New York Public Library, New York, N. Y.

UNITED STATES. INSPECTOR-GENERAL'S OFFICE.

Regulations | for the | Order and Discipline | of the | Troops | of the | United States. | Part I. | Fayetteville: | Re-printed by Howard and Roulstone, for John Sibley | and Co. M DCC XC. | [1791.] [165]

12mo. 72 p.

Title in the above form from Weeks no. 82, who credits a copy to University of North Carolina; no copy could be found there in January, 1935.

Proposals for printing by subscription appeared in the *North-Carolina Chronicle; or, Fayetteville Gazette* of October 11, 1790. The same paper of January 3, 1791, contained the following notice: "Those gentlemen who have subscription papers for Baron Steuben's military discipline, are requested to forward them to this office as soon as possible, as the book will soon be completed." Evidently, therefore, the book was not issued in 1790, the date on its title page.

Sabin 91410.

WINCHESTER, ELHANAN.

[The Face of Moses Unveiled by the Gospel, or, Evangelical Truths Discovered in the Law; in four discourses, being an attempt to shew the design of the observation of days, seasons, times and years, as commanded by God to the Israelites: As also the land of Canaan considered as a figure of the rest that remaineth to the people of God. Newbern? Francois-Xavier Martin, 1791.] [166]

Advertised in the *North-Carolina Gazette*, Newbern, June 4, 1791: "This day is published and for sale at the Printing-Office hereof . . . (Price two shillings and sixpence.)"

[*To be continued*]

NORTH CAROLINA BIBLIOGRAPHY, 1934-1935[1]

By Mary Lindsay Thornton

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Religion

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Kern, Paul Bentley, bp. The basic beliefs of Jesus. Nashville, Tenn. Cokesbury Press, 1935. $2.00.

Lamb, Elizabeth. Historical sketch of Hay Street Methodist Episcopal Church, South, Fayetteville, North Carolina. [Fayetteville,] 1934. 96 p. pa. Apply the church.

Poteat, Edwin McNeill. Reverend John Doe, D.D.; a study of the place of the minister in the modern world. New York, Harper Bros. 1935. 127 p. $1.25.

Poteat, William Louis. Stop-light. Nashville, Tenn. Sunday School Board of Southern Baptist Convention, c. 1935. 91 p. $.75.

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Evans, James Gilbert, Jr. Basic economics in a democratic society using a machine technology. Chapel Hill, University of North Carolina Press, 1934. 139 p. $1.50.

[1] Books dealing with North Carolina or by North Carolinians published during the period between November 30, 1934, and September 1, 1935.

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PASCHAL, GEORGE WASHINGTON. History of Wake Forest College. Wake Forest, Wake Forest College, 1935. v. 1. il. $2.00.

SHEPPARD, MRS. MURIEL EARLEY. Cabins in the laurel; with illustrations by Bayard Wootten. Chapel Hill, University of North Carolina Press, c. 1935. 313 p. $3.00.

U. S. DEPARTMENT OF AGRICULTURE. Economic and social problems and conditions of the Southern Appalachians. Washington, Government Printing Office, 1935. 184 p. pa. $.50.

U. S. ENGINEER DEPARTMENT. Ports of Charleston, S. C., and Wilmington, N. C. Washington, Government Printing Office, 1935. (Port series No. 9.) 191 p. il. $.50.

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BLOMQUIST, HUGO LEANDER. Ferns of North Carolina; introduction by Donald C. Peattie. Durham, Duke University Press, 1935. 132 p. il. $2.00.

GROVES, ERNEST RUTHERFORD. Understanding yourself; the mental hygiene of personality. New York, Greenberg, 1935. 278 p. $2.50.

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RHINE, JOSEPH BANKS. Extra-sensory perception; with a foreword by William McDougall. Boston, Humphries, 1935. 169 p. $2.50. London, Faber and Faber, 1935. 376 p. 12s 6d.

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Poetry

Barker, Charles Ely. A little volume of songs and meditations. [Charlotte, Observer Printing House, c. 1934.] 48 p. Address Charlotte Bookshop. $.75.

Crudup, Josiah. The temple, and other essays in verse. New Orleans, Dameron-Pierson Co. [c. 1934.] 96 p. il.

Kemp, Mrs. Leila Rush. Ventures in verse. San Antonio, Texas, Southern Literary Institute, 1934. 36 p. $.75.

Miller, Allen Guivere. As once I passed this way; verses grave or gay. Boston, Meador Publishing Co., 1935. 143 p. $1.00.

Placid, Father (Dom). The ballad of Marshall Ney, and other poems. Belmont Abbey, Abbey Press, 1935. 45 p. Apply Author, Belmont Abbey, N. C.

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Basso, Hamilton. In their own image. New York, Scribner, 1935. 317 p. $2.50.

Boyd, James. Roll river. New York, Scribner, 1935. 603 p. $2.75.

Burt, Mrs. Katharine Newlin. Rapture beyond. New York, Scribner, 1935. 284 p. $2.00.

Credle, Ellis. Across the cotton patch. New York, Thomas Nelson and Sons, 1935. No paging, il. by the Author. Juvenile. $1.50.

Hutchison, James Lafayette. One-two-three-four; a nocturne. Boston, Lothrop, Lee, 1935. 196 p. $1.75.

Miller, Mrs. Helen Topping. Splendor of eagles. Philadelphia, Penn Publishing Co. [c. 1935.] 312 p. $2.00.

Pahlow, Mrs. Gertrude. Cabin in the pines. Philadelphia, Penn Publishing Co. [c. 1935.] 316 p. $2.00.

Rollins, Kathleen. Love's tapestry. New York, William Godwin, Inc., 1935. (Acadia house publication.) 286 p. $2.00.

Ward, Millard. Brute. New York, Appleton-Century, 1935. 248 p. $2.00.

Waters, Frank. Wild earth's nobility; a novel of the old West. New York, Liveright, 1935. 454 p. $2.50.

Wolfe, Thomas. Of time and the river. New York, Scribner, 1935. 912 p. $3.00.

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GREEN, PAUL. Roll sweet chariot. New York, Samuel French, 1935. 107 p. $1.50, bound; $.75 pa.

HOLMES, URBAN TIGNER, JR.; LYONS, JOHN CORIDEN; LINKER, ROBERT WHITE, editors. The works of Guillaume de Salluste, sieur Du Bartas; a critical edition . . . Chapel Hill, University of North Carolina Press, 1935. v. 1, il. $5.00.

JACKSON, DAVID KELLY. Poe and the Southern literary messenger; with a foreword by J. H. Whitty. Richmond, Dietz Printing Co., 1934. 120 p. il. $5.00.

LEAVITT, STURGIS ELLENO, and STOUDEMIRE, STERLING AUBREY. Elements of Spanish. New York, Henry Holt and Co., 1935. 133 p. $1.16.

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SHARPE, ROBERT BOIES. The real war of the theatres . . . Boston, D. C. Heath and Co., 1935. (Monograph series No. 5. Modern language association.) 510 p. $2.50.

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TRABUE, MARION REX, and GOODRICH, BESSIE BACON. Today's English. New York, Charles E. Merrill Co., 1935. 3rd-6th years, 4v. $.72 each.

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WILEY, WILLIAM LEON and GRUBBS, HENRY A. Minimum French. New York, F. S. Crofts & Co., 1935. 142 p. $1.30.

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BALDWIN'S Reidsville city directory. Charleston, S. C., Baldwin Directory Co., 1935. 252 p. $10.00.

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Duttera, William Babylon. Descendants of George Philip Duddra Dodderer . . . Salisbury, Author, 1934. 148 p. il. Apply Author, Salisbury, N. C.

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Rippy, James Fred. Joel Poinsett, versatile American. Durham, Duke University Press, 1935. 257 p. il. $3.00.

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BURT, MRS. KATHARINE NEWLIN. Beggars all. New York, Burt, 1935. $.75.

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GREEN, PAUL. White dresses. New York, Samuel French, c. 1935. 25 p. $.35.

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TRUETT, GEORGE WASHINGTON. Follow thou me. New York, Harper, 1935. (Anvil library.) $1.00.

BOOK REVIEWS

THE BEGINNINGS OF PRINTING IN VIRGINIA. By Douglas C. McMurtrie. (Lexington, Va.: Privately printed, 1935. Pp. 49. $2.00.)

Virginia was slow in establishing her first printing press, but not as slow as has commonly been believed. Mr. McMurtrie shows conclusively that she became the second British continental colony to have such an agency, when William Nuthead came to Williamsburg and began to print the session laws in 1682. Almost immediately he was forced to move to Maryland—but a press had actually operated for a short time in Virginia. The next press in the Old Dominion was not set up until 1730, when John Parks came from Maryland to establish one. Parks in 1736 began publishing the initial newspaper in the colony, the *Virginia Gazette,* first of a long series of journals with the same or a similar name. There was no competition for this press until 1766, when a rival plant was introduced, followed by others. The Revolution disrupted printing in the colony, but afterward presses sprang up here and there, spreading quickly from the tidewater region into the piedmont and mountain areas. The story is carried approximately to the close of the eighteenth century.

Mr. McMurtrie in this little study continues (to quote Mr. Philip Brooks) his "incunambulatory tour of the United States." It is to be hoped that nothing will stop him until he has performed his valuable work for every state in the Union. (Elsewhere in the present journal is an instalment of his bibliography of North Carolina imprints of the eighteenth century.)

The pamphlet, an admirable example of the printer's art, was designed and printed in the Journalism Laboratory of Washington and Lee University. The edition was limited to 500 copies, each signed and numbered, and of these 300 were prepared especially for distribution to members of the Fourteenth Annual Conference on Printing Education, which met in Boston in June, 1935. Two hundred copies have been kept for sale, and may be obtained from Mr. C. Harold Lauck, Box 925, Lexington, Va.

C. C. CRITTENDEN.

NORTH CAROLINA HISTORICAL COMMISSION,
RALEIGH, N. C.

LETTERS OF THEODORE DWIGHT WELD, ANGELINA WELD GRIMKÉ AND SARAH GRIMKÉ, 1822-1844. Edited by Gilbert H. Barnes and Dwight L. Dumond. (New York: D. Appleton-Century Company, 1934. Two volumes, pp. xxxvii, x, 1023.)

Born into the easy-flowing, aristocratic life of ante-bellum Charleston, the Grimké sisters, Sarah and Angelina, veered away from their traditions. With an inherent spirit of revolt and in conflict with their Southern environment and outlook, they took up the burning controversies of the times. After a somewhat morbid religious experience during adolescence, their middle life furnished release in a fervor for abolitionism, woman's suffrage, social equality between blacks and whites, and a number of other reform movements. Angelina, the younger of the two and by far the more attractive, met Theodore Dwight of New England during the course of her activities and the two were married. He was as well bred as she, quite as aristocratic and finely cultured. After his marriage in 1838 Weld, his wife, and his sister-in-law constituted a social and educational circle and center of propagandism for nearly forty years.

These two volumes of "letters" take their title from this family, but include papers from the hands of numerous other persons. Aside from the historical uses to which they will be applied in the years to come, these letters are interesting as accounts of human relationships, as religious memoirs, as spiritual disclosures, and finally as factional, sectional, social, and theological controversy and speculation.

The anti-slavery movement was a sort of mighty emotion. The storm that broke in the tragic era of the Civil War and Reconstruction was gathering in the two decades before 1850. A fresh and live understanding of all this comes from reading these unusual records. They exhibit at the same time the mad fanaticism and the piety and tender sentiment of the men and women who figured in the movement. Nowhere is there an ignoble word, idea, or personage.

In these pages appear both notable and obscure persons: Whittier, Birney, Bryant, Garrison, John Quincy Adams, and others—sometimes in novel and vivid fashion. Lyman Beecher, his daughters, and the Lane Seminary episode appear in a new

light. There are also love letters—what strange ones they are! Here are revealed conflicts within family and within the ranks of the anti-slavery crusaders.

In giving to Weld's personality proportions never before recognized, the editors are unquestionably correct. He advances to the front in the twenty years of slavery agitation prior to secession, less conspicuous than Garrison but much abler and even more effective as a propagandist.

The editors are to be congratulated on finding the trunkful of "letters," which Weld's grandson and daughter helped bring to light. We may accept their selection with confidence. The two volumes, which constitute the second historical publication of the Beveridge Foundation, commend themselves to serious and judicious students of American history. They are indispensable to any complete study of the emancipation of the Negro in the United States.

Dudley Jones.

Presbyterian College,
Clinton, S. C.

The South Looks at Its Past. By Benjamin Burks Kendrick and Alex Mathews Arnett. (Chapel Hill, N. C.: The University of North Carolina Press, 1935. Pp. viii, 196. $2.00.)

This is a very nice little book both in format and in content. It is "primarily intended as a sort of historical preface" to "the Southern Regional Study," the authors tell us on page 188. But it should be read also by those who have no particular sympathy with planning, regional or otherwise, for it provides a handy synthesis of quite a number of monographs and other serious studies. By omitting military matters and much of the political it encourages concentration on economic and social aspects. Thanks to this omission, too, it moves along rather rapidly. It tries to correct false prepossessions and to emphasize fundamentals to be at once realistic and fair. And the reviewer thinks that the partial picture of the Old South presented is, all in all, a very good one—probably the best that we have; as to the New South he is not so certain—nor, probably, are the authors. Undoubtedly the book will supersede several others of recent vintage as "parallel" in the general course on United States history.

Let us hope that it will stimulate others to publish more elaborate studies on the same theme—but not too hurriedly.

There will, of course, be disagreements with the authors. Some will say most emphatically that when the South looks at its past fairly, it will not fail to note achievements in statesmanship and examples of loyalty. The shades of Philip Alexander Bruce must cry out against the thesis of a *purely* homespun Virginia aristocracy. Was the social influence of organized religious bodies confined to dinners and the defence of orthodoxy? The present reviewer has long thought that Civil War and Reconstruction should be set down as inexcusable interferences with the evolution of things in the South (as he believes the authors think); but he has not found much advance or much prospect of coming advance *along the lines which the North was following* around 1860 in education or in industry. And he seems to recall pronouncements of experts around 1900 that an economic foundation must be laid before there could be a renaissance in education, an accomplishment for which the mills do not receive adequate credit. And why from the list of interpreters and practical planners omit the names of Ellen Glasgow and Clarence Poe?

C. C. PEARSON.

WAKE FOREST COLLEGE,
WAKE FOREST, N. C.

CATAWBA TEXTS. By Frank G. Speck. (New York: Columbia University Press. Pp. 91. $2.00.)

Few volumes close with better grace in subscribing *finis* than Dr. Frank G. Speck's *Catawba Texts*. This is the last utterance of a rapidly vanishing language. Less than half a dozen survivors of the once powerful and populous tribe of Catawba Indians retain their native speech. From these Dr. Speck has painstakingly gathered last vestiges of mythology, folk lore, and tribal customs preserved in Catawba idiom.

This is also probably the most important contribution to knowledge of the language of the Siouan tribes of the Southeast, to which the Catawba Nation belonged. The natives who occupied the Piedmont area of Virginia and the Carolinas, a territory of 70,000 square miles, have vanished from the scene of their form-

er occupancy with the exception of the Catawba, largely a mixed race, of whom only 200 remain. (Possibly the so-called Croatan Indians of Robeson County may include this stock, although identification has never been made.) The numerous tribes disappeared rapidly. Only fragments of their speech have been gathered from odd sources.

In 1836 the Catawba language attracted the attention of linguists and ethnologists, who in subsequent study found it to belong to the Siouan linguistic group. This discovery made possible identification of the Piedmont tribes. The Catawbas were the most populous of these tribes, numbering perhaps 6,000 prior to 1700. They once occupied a position of considerable influence, and their record has been honorable. It is significant that these important texts, scant remains though they may be, are the contribution of the once famous Catawba Nation.

Dr. Speck obtained his material from four aged narrators. With extreme patience and considerable prompting the work was accomplished, as bit by bit ancient myths, legends, and tribal customs were rehearsed in native speech. Languages live and die, and the Catawba language was perilously near extinction. In view of the difficulties and vague possibilities of the task, Dr. Speck has done well. The wonder is not in the paucity of material preserved, but in the fact that so much has been rescued.

To linguists, ethnologists, and other scholars *Catawba Texts* will have great appeal, adding an important link in the chain of aboriginal studies. Although these texts may not draw an extensive circle of readers from popular appeal, they will be sought especially by many who are interested in the Indians of the Carolinas and adjacent territory.

The first part of the texts includes myths and tales in fair number, although there is no hope, of course, for long, detailed narrations, such as James Mooney obtained from the North Carolina Cherokees. Following there appear in order folk beliefs, medicine practices, social customs, industries, and occupations.

All of the texts are printed in the Indian language with translation interlined.

Douglas L. Rights.

Winston-Salem, N. C.

HISTORICAL NEWS

The North Carolina Historical Commission will be glad to preserve in its archives any reminiscences which may be written as a result of the following resolution, adopted at the December, 1935, meeting of the State Literary and Historical Association:

WHEREAS, the rapid passing of Confederate veterans and all other old men and women who knew the South of ante-bellum, Civil War, and Reconstruction days reminds us of the imperative necessity for prompt action if we are to preserve the recollections and memories of persons who knew North Carolina and the South under social, economic, and political conditions that can never again be duplicated. Therefore be it

RESOLVED, that the State Literary and Historical Association hereby appeals to all kinsmen and kinswomen of persons yet living who knew the South in the 50's, 60's, and 70's to preserve these memories now in written form. Old people should be encouraged to write such recollections wherever possible, and in other cases younger people should write from the dictation of the old.

RESOLVED, second, that sons and daughters of persons who knew the South in this period and who have had first-hand stories and reminiscences from their parents should also be encouraged now to put these reminiscences in written form for the benefit of their descendants and of all students of local history.

In conformity with the above resolution, of which he was the author, Dr. Clarence Poe of Raleigh, editor of *The Progressive Farmer and Southern Ruralist,* has published in *The South Atlantic Quarterly,* January, 1936, an article entitled, "Wherein I Set a Good Example: Recording Family Traditions."

Dr. Archibald Henderson of the University of North Carolina is the author of three articles on North Carolina history, published in the Raleigh *News and Observer,* on the following subjects and dates: boy soldiers of the Confederacy, December 1; the capture of Fort Fisher by Union troops, December 8; and General James Johnston Pettigrew as the true hero of Gettysburg, December 15.

The North Carolina Historical Commission has scheduled for publication this spring the third volume of *The Papers of Ran-*

dolph Abbott Shotwell, edited by Dr. J. G. deR. Hamilton of the University of North Carolina. Volume I appeared in 1929, and Volume II in 1931.

Mr. D. L. Corbitt, Chief Library Assistant of the North Carolina Historical Commission, hopes to complete within the next few weeks his story of the formation of the counties of North Carolina. It is expected that this compilation will be published by the North Carolina Historical Commission in pamphlet form together with period maps showing the county boundaries and the various changes which were made from time to time by annexation of parts of some counties to other counties.

Miss Adelaide L. Fries of Winston-Salem is editing the fifth volume of the *Records of the Moravians in North Carolina*, scheduled for publication in 1937 by the North Carolina Historical Commission. Volumes I-IV, all edited by Miss Fries, were published by the Commission during the years 1922-1930.

The Yale University Press expects to publish this spring *The Commerce of North Carolina, 1763-1789*, by Dr. C. C. Crittenden, secretary of the North Carolina Historical Commission.

North Carolinians attending the fiftieth annual meeting of the American Historical Association, at Chattanooga, Tennessee, December 27-30, 1935, included: University of North Carolina at Chapel Hill, A. R. Newsome, W. W. Pierson, Jr., W. E. Caldwell, H. T. Lefler, Cecil Johnson, J. C. Russell, and J. C. Sitterson; Woman's College of the University of North Carolina, B. B. Kendrick and A. M. Arnett; State College of the University of North Carolina, D. L. Lockmiller; North Carolina Historical Commission, C. C. Crittenden; Duke University, W. K. Boyd, W. T. Laprade, J. F. Rippy, P. N. Garber, E. M. Carroll, J. T. Lanning, W. A. Mabry, R. H. Woody, and S. T. McCloy; and Davidson College, F. W. Johnston. Participating in the program were A. M. Arnett, who read a paper on "Claude Kitchin and the Wilson War Policies"; H. T. Lefler, who was chairman

of the section on agricultural history; W. W. Pierson, Jr., who was chairman of the luncheon conference on Hispanic-American history; J. T. Lanning, who read a paper on "Research Possibilities in the Cultural History of Colonial Spanish America"; P. N. Garber, who read a paper on "Hostility of Early Methodists to Theological Schools"; A. R. Newsome, who was chairman of the luncheon conference of archivists; and B. B. Kendrick, who was a discussion leader at the section on civil liberties.

The history teachers of various North Carolina colleges and universities attended a dinner at the Carolina Inn, Chapel Hill, on January 18.

Mr. Dan Lacy has secured a release as instructor in history at the University of North Carolina to serve as Executive Assistant of the Historical Records Survey in North Carolina.

Professor Phillip Davidson of Agnes Scott College will be a member of the Department of History of the University of North Carolina during the first session of the 1936 summer school.

Professor Fletcher M. Green of Emory University will offer courses in American history during the second session of the summer school at the University of North Carolina.

Members of the regular staff of the University of North Carolina who will teach in the summer school are as follows: first term, Professors A. R. Newsome, W. E. Caldwell, Cecil Johnson, and C. H. Pegg; second term, Professors W. W. Pierson, Jr., H. M. Wagstaff, and J. C. Russell, and Dr. R. D. Meade.

Professor Thomas W. Lingle of Davidson College will offer courses in modern European history during the summer session at the University of Virginia.

Professor Frontis W. Johnston of Davidson College will devote the coming summer to historical research in the Yale University Library.

Miss Mattie Erma Edwards, Collector for the North Carolina Hall of History, has been granted a leave of absence to serve as Executive Assistant of the Federal Archives Survey in North Carolina.

Miss Marybelle Delamar of Raleigh has been appointed Acting Collector for the Hall of History, to serve during Miss Edward's absence.

Books received include: Nelson Morehouse Blake, *William Mahone of Virginia* (Richmond: Garrett and Massie, 1935); Charles Maurice Wiltse, *The Jeffersonian Tradition in American Democracy* (Chapel Hill: University of North Carolina Press, 1935); J. Fred Rippy, editor, *F. M. Simmons, Statesman of the New South: Memoirs and Addresses* (Durham, N. C.: Duke University Press, 1935); George J. Gongaware, *History of the German Friendly Society of Charleston, South Carolina* (Richmond: Garrett and Massie, 1935); W. S. Lester, *The Transylvania Colony* (Spender, Indiana, Samuel R. Guard and Company, 1935); Burton J. Hendrick, *The Lees of Virginia: Biography of a Family* (Boston: Little, Brown, and Company, 1935); Charles Henry Ambler, *George Washington and the West* (Chapel Hill: University of North Carolina Press, 1936); Charles William Dabney, *Universal Education in the South*, vol. I (Chapel Hill: University of North Carolina Press, 1936); Charles W. Smith, Jr., *Roger B. Taney, Jacksonian Jurist* (Chapel Hill: University of North Carolina Press, 1936).

On January 28 there was unveiled on the State College campus a monument honoring the memory of the men and women who achieved American independence. It was erected by the National Society of the Daughters of the American Revolution, under the leadership of the Caswell-Nash Chapter, of Raleigh. Dr. A. R. Newsome, head of the Department of History at the University of North Carolina, delivered the principal address.

The first historical highway marker to be erected in the program authorized by the North Carolina legislature at its 1935

session was put in place on January 10 in the little town of Stovall, Granville County, on U. S. Highway Number 15. The marker points the way to the site of the home of John Penn, one of the North Carolina signers of the Declaration of Independence. Brief ceremonies were held, sponsored by the John Penn Chapter, Daughters of the American Revolution, of Oxford. Dr. C. C. Crittenden, secretary of the North Carolina Historical Commission, and Mr. Paul Kelly, assistant director of the State Department of Conservation and Development, made brief addresses.

As WPA projects, two national surveys of historical manuscripts have been launched: the Historical Records Survey, a Federal Writers' Project, under the direction of Dr. Luther H. Evans, involving the listing of State, county, and municipal archives and private manuscripts; and the Federal Archives Survey, under the direction of Dr. Philip M. Hamer, for the purpose of listing all federal archives outside the District of Columbia. In North Carolina both projects are being sponsored by the Historical Commission, under the supervision of Dr. C. C. Crittenden, the secretary. (The State Director of the Federal Writers' Projects, Mr. Edwin Björkman of Asheville, has automatically become state supervisor of the Historical Records Survey, but this does not involve active control.) To handle each, Dr. Crittenden has been given a full-time assistant: Mr. Dan Lacy for the Historical Records Survey, and Miss Mattie Erma Edwards for the Federal Archives Survey. Space for the executive offices has been provided by the Historical Commission. By a coördination of the two projects, considerable expense is being saved and greater efficiency attained. The work on both is proceeding rapidly, and is expected to be completed by June 30.

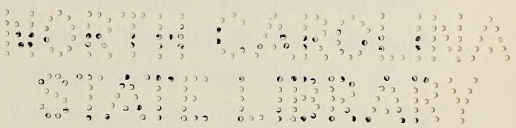
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THE NORTH CAROLINA HISTORICAL REVIEW

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FOUNDING THE NORTH CAROLINA ASYLUM FOR THE INSANE

By MARGARET CALLENDER MCCULLOCH

The late eighteenth and early nineteenth centuries saw a great humanitarian movement sweeping both Europe and America. Despite a certain backwardness in many respects, North Carolina played her part in this movement. There was an interesting interplay between those forces sweeping her forward into the general stream of humanitarian progress and those holding her back and operating as a brake upon this progress. This interplay was brought to a focus in the struggle over the establishment of a state hospital for the insane.

The humanitarian crusade of these years was not a local one, but was to a high degree common to the various countries of both Europe and America. Expressing itself on the political side in the demand for increasing democracy, this crusade manifested itself also in agitation for social and religious reform. The working men's movement, factory legislation, the demand for free public schools, social experiments like Owen's New Harmony, the peace movement, Protestant foreign missions, the crusade for women's rights, temperance or total-abstinence agitation, the fight for the abolition of slavery, penal reform, and a completely new concept of insanity and its proper treatment were all expressions of this new and passionate interest in the "Common Man" and faith in his supreme value and unlimited moral possibilities. All of these developments were international in scope and most of them were interlocking; the leaders in any one movement were generally active in related

movements. Especially was this true of the crusades for penal reform and for the reformed care of the insane.[1]

Prior to this humanitarian revolution in thought, the insane in Europe and America were generally thrown into jails, prisons, and almshouses, or confined in cages and sheds in the yards of private homes. Some were placed in dungeons without light, air, or sanitation; many were chained to the walls or floor, bedded on foul straw, clad in rags, and fed on scraps like animals. Often when violent they were beaten into cowed submission.[2]

With the new faith in the value and improvability of man, attention began to be focussed on the jails and almshouses and on the criminals and insane confined there. These interests naturally moved together. Those persons interested in removing from the prisons and jails the debtors and young children, in separating men and women in the prisons, in reducing jail fever, and in replacing the philosophy of retributive punishment in prisons by that of reformative care in penitentiaries naturally concerned themselves also with eliminating from the prison population those who were guilty of no offense other than that of mental disease. The same philosophy and temperament that had faith in the reformability of the criminal had faith also in the curability of the insane.

As a result in both Europe and North America the late eighteenth century and early nineteenth century saw the rise of asylums in the nature of hospitals to which the insane were transferred from the penal system and where they were humanely cared for and an attempt was made to cure them.[3]

Owing largely to geographic factors resulting in sectionalism, poverty, and conservatism, North Carolina was backward in joining these movements and was disinclined to accept any positive, constructive theory of government which would involve an outlay of funds. But her leaders were by no means unaware

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[1] No single source is adequate. Good treatments are to be found in Fish, C. R., *Rise of the Comman Man*, especially Chap. III; *First Century of the Republic*, especially Chap. III; McMaster, J. B., *History of the People of the United States*. Vol. VII, Chap. LXXIV.

[2] Goldberg, J. A., *Social Aspects of the Problem of the Insane;* Tuke, D. H., *History of Insanity in the British Isles;* and Hurd, H. M., *Institutional Care of the Insane in the United States and Canada*, Vol. I, together give a good picture of conditions.

[3] Hurd, H. M., *op. cit.*, is the best single secondary account of this movement. Among the many primary sources the best understanding of the relationship between these two movements can perhaps be had from a study of the *Annual Reports of the Prison Discipline Society of Boston*, 1826-1854.

of these movements outside the State; and struggling upwards through the general apathy came gradually a reform movement. At first this was a non-partisan movement led by a small group of men chief among whom was Archibald D. Murphey. After 1835 the movement passed officially into the hands of the Whigs, and came to be opposed in theory by the Democrats whose official platform favored a negative theory of government, arguing that the government was best which governed—and so cost—least. Despite this official antagonism, the progressive measures actually received non-partisan support from members of both parties. The *Raleigh Register,* Whig, and the *North Carolina Standard,* Democrat, both published strong articles in favor of the measures. As an expression of this movement between 1835 and 1860 the state university was raised to the level of a real college, a state system of public schools and charities was established, the slave code was humanized, property rights of women were enlarged, and the penal code was liberalized.[4]

The specific problems of penal reform and the treatment of the insane were also no new issues in the State. Agitation for a state penitentiary had begun as far back as 1791 and was repeated at intervals until its final success after the Civil War.[5] Linked with this agitation after 1828 were the demands for a lunatic asylum and subsequently for an asylum or school for the deaf, dumb, and blind, and this last objective was the first achieved.[6]

Governor after governor recommended the establishment of a lunatic asylum but could get no legislative action.[7] In 1844 Governor Morehead, who had already vainly urged action in the matter, returned to the charge more passionately than before. He wrote:

> For more than a century and a quarter the Legislature of this state has been engaged in making laws for the benefit of that class of citizens which least needed aid, while the helpless and afflicted children of misfortune are almost wholly disregarded.[8]

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[4] Connor, R. D. W., *History of North Carolina,* I, 444-474; II, 1-77, contains an illuminating sketch of the period. Reasonably complete files of the *Register* and of the *Standard* are available in the University of North Carolina Library.

[5] Connor, *op. cit.,* pp. 7-19. *Highland Messenger* (Asheville), *Standard,* and *Register,* 1845-1868, *passim;* Public Documents for the same years; *Governor Graham's Message,* November 17, 1846, p. 24; *Legislative Documents,* 1854-5, Vol. II; *Governor's Messages,* 1866, 1868.

[6] Connor, *loc. cit.; Legislative Documents,* especially for years 1819, 1827, 1844, and 1845.

[7] *Report on Penitentiary and Lunatic Asylum 1828; Governor's Message, Journal of the House of Commons,* 1840-41, pp. 336-337; *Governor's Message,* December 21, 1842, p. 17; *Governor's Message,* November 19, 1844, p. 12.

[8] *Governor's Message,* November 19, 1844, p. 12.

The matter again lapsed, however. Perhaps like the problem of the penitentiary it would have waited another two decades for action but for the arrival on the scene in 1848 of a most extraordinary personality, Dorothea Lynde Dix.[9] Miss Dix was a New England woman thoroughly imbued with the spirit of humanitarian reform. For some years past she had devoted herself with extraordinary success to persuading state legislatures throughout the North and East to remove the insane from prisons, jails, and almshouses and to transfer them either to previously existing state hospitals or to new state hospitals, created for this purpose.[10] In 1845 she began to carry her work into the South and West and in the course of this campaign she came to North Carolina.[11] Here she found conditions similiar to those she had found in most other states. The insane were generally confined in the jails or in almshouses or left in charge of private families. Only in a few instances where the families could afford it were they sent to institutions outside the state.[12] No precise record of the numbers was available but in 1854 the legislature estimated that there were some five hundred insane in the State in jails, poor houses, and "such shelters as would seem alone fit for untamed beasts."[13]

There was a double evil in this situation. The primary trouble was, of course, that these sufferers could not obtain even reasonably decent and humane care under the existing conditions, far less any treatment looking towards their cure. The secondary evil was economic. The inmates of jails and poor

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[9] Rigid limitation of this article to matters occurring within the state of North Carolina excludes any adequate treatment of Miss Dix's work, techniques, personality, and prestige. As an understanding of these is vital to any thorough understanding of what happened in North Carolina, reference should be made to F. Tiffany's *Life of Dorothea Lynde Dix*, an authorized biography, and to her many memorials addressed to state and federal legislatures. A new and fuller biography is in the course of preparation.

[10] Miss Dix had achieved definite results in Massachusetts, Rhode Island, New York, Pennsylvania, New Jersey, and Nova Scotia.

[11] Before this visit to Raleigh she had visited on a trip of inspection, Maryland, Virginia, District of Columbia, Kentucky, Tennessee, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Illinois, Indiana, and Missouri and she subsequently visited Iowa, Minnesota, Texas, and California. Tiffany, *op. cit.*, and Hurd, *op. cit.*, contain many references to Miss Dix's work in different states. Other references will be found scattered through contemporary prison reports, correspondence, and public documents. The most readily accessible essential sources are Miss Dix's memorials: Dix, D. L., *Memorial to the Legislature of Massachusetts, 1843*, in *Old South Leaflets*, Vol. VI, No. 148; Dix, D. L., *Memorial Soliciting a State Hospital for the Insane Submitted to the Legislature of Pennsylvania*, Feb. 3, 1845; Dix, D. L., *Memorial Soliciting Enlarged and Improved Accommodations for the Insane of Tennessee*, Nov. 1847; Dix, D. L., *Memorial of D. L. Dix Praying a Grant of Land for the Relief and Support of the Indigent Curable and Incurable Insane of the United States*, June 27, 1848.

[12] Dix, D. L., *Memorial Soliciting a State Hospital for the Protection and Care of the Insane*, submitted to the General Assembly of North Carolina, November, 1848. *House of Commons, Document*, No. 2.

[13] *Legislative Documents*, 1854-5, No. 5.

houses were a charge on their respective counties. Not a few of the insane in these institutions, however, were either harmless incurables, some of whom might safely have been at home, or else were curably insane persons who, by a brief stay at a hospital, might have been set right and restored to society as productive members. Most of them moreover were idle; yet experience has amply demonstrated that the larger portion of even the violently insane can perform some useful labor of profit to society and of benefit to their own health.[14]

Weeks spent in travelling about the State inquiring and observing gave Miss Dix a clear insight into the local conditions, and as usual she drew up her findings and her appeal in the form of a memorial. But to whom should she entrust the memorial for presentation in the legislature? This was always a crucial question. These were not days when women could with impunity appear in public on political issues and Miss Dix, therefore, worked through others. To get the right sponsors and backers for a bill was essential for its success. She had therefore to look into the political alignment. She was told that the Democratic party was strong in the General Assembly and was pledged as a party to oppose any avoidable expenditure of state funds and that she must, therefore, expect opposition from its members.[15] As we have seen, however, this information was only a partial truth. Despite official party theories there were progressive elements in both parties and the backwardness of North Carolina in regard to the insane was rather a part of its general backwardness than the definite result of party opposition.

The first official move after Miss Dix's arrival was made by Governor William A. Graham. He knew of her coming and of her work in other states and in his message to the legislature commended her cause. He pointed out the absence of any provision for pauper lunatics except in cases of crimes, when they were committed to the common jails. He said that it was known that mental like physical diseases were curable and that the

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[14] Dix, D. L., *Memorial Soliciting a State Hospital;* Raynor, K., *Speech on a Bill to Establish a State Hospital for the Insane, 1849; Reports of the N. C. Asylum,* 1856-62.

[15] Tiffany, F., *op. cit.,* pp. 134-135.

most enlightened states had already established hospitals for the mentally diseased. He added:

> A most distinguished person of the gentler sex has recently traversed a considerable portion of this state in search of information respecting these poor unfortunates and will probably ask leave to present their case to you at an early day. I cannot too earnestly commend the cause itself or the disinterested benevolence of its advocate.[16]

The Whigs and the Democrats, however, had practically equal strength in both houses and the Democrats had no desire to risk any popularity by voting away the money of their constituents.[17] The Whigs assured Miss Dix that nothing could be done at this session.

Faced with this situation, she took a bold step. She invited some leading Democrats to call on her at the Mansion House[18] where she was staying. After some minutes talk with them on her findings in the State, she turned to one of them, John W. Ellis,[19] placed her memorial in his hands and said, "I desire you sir to present it . . . and you, gentlemen," turning to the others, "you I expect will sustain the motion this gentleman will present to print the same." This they did, and on November 24th Ellis introduced the memorial with a motion to print and it was passed unopposed.[20] The memorial was then referred to a select committee of which Ellis was made chairman, a clever stroke to remove the matter from party politics. On December 8th it was favorably reported by Ellis with a bill for the establishment of the hospital, which he recommended. The bill passed its first reading, was ordered printed, and was made the order of the day for the 19th.[21] On the 12th the Senate and House sent a joint resolution of thanks to Miss Dix for her "zealous labor, Christian philanthropy, and self-sacrificing devotion to the insane poor of North Carolina."[22]

Thus the drive was launched, but the issue was only opened

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16 Governor Graham's message, *Journal of Legislative Session*, 1848-9, pp. 380-1.

17 *Standard*, XV, 733 (Nov. 22, 1848). The party alignment in the legislature stood: House—28 Whigs, 25 Democrats; Senate—59 Whigs, 58 Democrats; presiding officers: House—Whig; Senate—Democrat.

18 A Raleigh hotel especially catering to the members of the legislature—not to be confused with the governor's mansion. See advertisements in *Raleigh Register, passim.*

19 *Journal of Legislature*, 1848-9, p. 392. *The Raleigh Register*, December 6, 1848, states that it was Dobbin in whose hands Miss Dix placed the memorial, but the other source seems more reliable.

20 Letter of Dorothea Dix to Mrs. Ware of Philadelphia, Raleigh, November 27, 1848, in Tiffany, *op. cit.*, pp. 134-135; *Journal of Legislative Session*, 1848-9, p. 392.

21 *Ibid.*, p. 448.

22 *Ibid.*, p. 471; *Standard*, December 26, 1848.

and a fierce struggle ensued. In her memorial Miss Dix adroitly appealed to three motives—humanity, state pride, and economic interests,[23] but it was on the last that the issue was joined. No legislator wished to disclaim her assumption that his humanity was so strong that he was eager to aid the afflicted once he knew their condition. None wished to be lacking in state pride. Miss Dix pointed out that:

> North Carolina, hailed of her sons 'the glorious Old North'—North Carolina unburthened by state debts, untouched by serious misfortunes, is last and latest of the 'old thirteen,' save the small territory of Delaware, to make provision for the care and cure of her insane citizens, and almost the last embracing all the New States in our broad Union.[24]

This was language calculated to appeal to the constituents at home, as well as to the legislators. But Miss Dix realized that these arguments alone were not enough and added:

> If the plea of suffering humanity is insufficient to quicken legislative interposition, an argument based on indisputable evidence, may be advocated, whose force cannot be slighted; I mean the *economy* directly to individuals, towns, and counties, and remotely but not less actually to the state.[25]

It was pointed out that economy would result since families would no longer have to send insane relatives out of the State for hospital care, but the cost would be less at home and the money kept within the State; that a State institution could be more efficiently run than scattered small institutions in the counties not intended for this purpose; and lastly, that many demented persons now dependent for an indefinite period could be cured and restored to society. Kenneth Raynor, a Whig member of the House, elaborated these arguments in an eloquent speech in favor of the bill.[26]

The House, however, objected stubbornly. Whatever the ultimate economic results—and these could only be conjectural—there would be necessary a large immediate outlay for purchasing the site, erecting and equipping the building. To this they

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[23] Dix, *Memorial.* These appeals open and close the memorial but are also hinted at in other places in the text.

[24] Dix, *Memorial,* p. 4.

[25] *Ibid.,* p. 5.

[26] Raynor, Kenneth, *Speech on a Bill to Establish a State Hospital for the Insane,* 1849, delivered in the House, December 21, 1848. Printed in pamphlet form and also given in full in *Raleigh Register,* January 13, 1849.

were unwilling to agree. Proposals for raising the money in various ways were made and rejected. Nothing could be agreed upon and after prolonged debate the bill was defeated. It seemed that the Whig predictions were to be fulfilled, that the moment had been an injudicious one for attempting the drive, and that the bill was lost.[27] Then occurred one of those dramatic, personal episodes which seemed naturally to arise whenever Miss Dix was at work. The leader of the Democrats in the House was James C. Dobbin, a man who could ordinarily be counted on to stand with his party. During the debate on the asylum bill he had been absent from the House attending the bedside of his dying wife. Throughout Mrs. Dobbin's critical illness Miss Dix, who was staying, as they were, in the Mansion House, had ministered with the greatest devotion to her, and Mrs. Dobbin had consequently become very eager to see Miss Dix's labors for the insane succeed. Her dying request of her husband was that he enter the struggle in behalf of the bill and do his best for its passage. Returning to the House immediately after her funeral, Dobbin fulfilled her request. It was a dramatic moment, long and vividly remembered, when the leader of the party in opposition reappeared, just when the fate of the bill seemed sure, and rose to make an eloquent and moving appeal for its reconsideration and passage by the House with an appropriation adequate to its needs.[28]

So ingenious and yet so clear were his arguments, and so earnest and so touching were the appeals which he made to the House, that all opposition to the project appeared to vanish into thin air, and the bill passed by an almost unanimous vote.[29]

The victory was won. There was some discussion in the Senate, but the bill passed its third reading on December 30, 1848,[30] and, despite a motion to reconsider made January 1, became a law.[31]

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[27] *Journals of Legislative Session*, 1848-9, pp. 514-538.

[28] Banks, J. C., *James C. Dobbin*, pp. 322-327, gives the story as a whole. It can be pieced together from the Public Documents, letters of Dorothea Dix, and current newspapers—e. g., *Raleigh Register*, December 27, 1848.

[29] *Standard*, December 27, 1848. The vote was 94 to 9 on the second reading. Rules were waived and the third reading was held at once and the bill passed, 91 to 10. The preceding vote on Raynor's motion had been 44 to 66 against. *Legislative Documents*, 1848-9, pp. 514-530.

[30] *Legislative Documents*, 1848-9, *Journal of Senate*, p. 154.

[31] How close the balance of sentiment was, however, is revealed by the vote of 21 to 23 on this motion. *Journal of Legislative Session*, 1848-9, p. 155.

After the dramatic victory of 1849 it was seven years before the hospital was ready for patients. Miss Dix had gone; the emotional moment when Dobbin swept the opposition off its feet had passed; the public mind was preoccupied with national affairs—above all with the slavery question as developed in and after the Compromise of 1850—with internal improvements, with constitutional reform and the state-suffrage question, and, to a lesser degree, with the many minor concerns of day-to-day political life.[32] Interest in the asylum tended to subside. Perhaps even more important in causing the delay was the fact that the funds had to be raised gradually by taxation and so were not immediately available.

These were, however, by no means blank years in the history of the asylum. There were big problems to be met. Accustomed as we are to the existence of state asylums and hospitals and the presence of psychiatrists, clinics, and trained nurses and attendants for medical cases, it is hard for us to realize what an intellectual and practical feat was involved in the establishment of a state hospital for the insane in these days of beginnings.

The act itself, with the supplemental act of the same session, embodied a good deal of planning. These acts provided for commissioners who were to choose a site within three miles of Raleigh, though not within the city, with a good elevation and water supply, and who were to have a brick building erected to accommodate two hundred and fifty patients. The funds for this purpose were to be raised by a tax of one and three-fourths cents on every hundred acres of land and five and one-fourth cents on every taxable poll, to be levied for four years. The government of the institution was to be vested in a board of trustees appointed by the legislature, two each from the eastern and western sections of the State and five from the central section. They were to appoint a superintendent and a physician, to be associated with them in governing the hospital.

Persons were to be admitted both as pay patients, when able to pay, and as paupers whose expenses should be paid by their respective counties. The criminal insane were also to be re-

[32] See the governors' messages for these years. From 1850 to 1854 the asylum was not mentioned in them. In 1854 and 1856 it received brief, commendatory comment as it neared completion. The newspapers cited also give a good idea of the subjects uppermost in popular thought.

ceived when sent by the courts. As soon as the hospital was erected all insane in the jails were to be transferred there within two weeks. Those not sent by the courts might be committed on application of a private citizen or justice of the peace, but this must be accompanied by the testimony of a physician and of one other witness.[33]

It was necessary to supplement this act by one conferring on the courts the necessary powers over imprisoned lunatics. Such an act was accordingly introduced concurrently with the asylum bill in December, 1848, and passed the latter part of January, 1849. This act provided for examination of persons imprisoned for crime and alleged to be insane. Such persons were to be examined by a jury. If adjudged insane they were to be removed to the State Hospital for the insane as soon as it should be established. The courts in each county were given power to levy taxes and appropriate money to pay the expenses of such persons. These proceedings, however, were explicitly held not to invalidate or impair the indictment for crime which had originally led to the imprisonment of any such persons.[34]

It will thus be seen that although the State was to establish and supervise the hospital, the funds for the hospital's running expenses rested largely on a basis of county support. Over this question of county support and the questions of the tax for construction of the hospital and of the salaries of the hospital superintendent and physician there was constant haggling for several years. In 1851, for instance, plans were held up because the Assembly objected to the proposed salary of two thousand dollars for the superintendent.[35] In 1852 an act was passed amending that of 1848-9 by renewing the asylum tax for another three years, reducing the salary of the superintendent to twelve hundred dollars, and requiring that he be a skilful and competent medical man to "reside continually" at the institution. He was to supervise the building of the asylum and serve a two-year term, or less if not satisfactory to the legislature.[36]

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[33] *Laws of North Carolina*, 1848-9, Chap. I and II. The laws go into even more detail. Only the main provisions are indicated above.

[34] *Laws of North Carolina*, 1848-9, Chap. LVII, pp. 107-8; *Journals of Legislative Session*, 1848-9, pp. 121, 224, 722, 805. The details of this law were modified in accordance with a certain reorganization of the courts in 1852. *Laws of North Carolina*, 1852, Chap. LXXIV, pp. 140-1; *Legislative Journals*, 1852, pp. 119-438.

[35] *Journal of Legislative Session*, 1850-51, pp. 268, 358, 1049-50.

[36] *Laws of North Carolina*, 1852, pp. 137-39.

In spite of such haggling the work went ahead. The commissioners selected a site.[37] They purchased one hundred and two acres on a hill overlooking the city of Raleigh, a tract which appeared to be healthy and to have a good water supply from a natural stream.[38] For this they paid $6,567.63.[39] The subcommittee on building plans got Alexander T. Davis of New York, as architect, and Francis R. Stribling, superintendent of the Western Asylum of Virginia, as adviser, to visit Raleigh and work out a plan. But they found that the building alone, without any furnishings, would exceed the funds available. They requested the advice of the legislature as to what to do about building and recommended the appointment as superintendent of a physician of skill, reputation, and special training.[40] As we have seen, the legislature did not act on this report until two years later.

It was not so easy, however, to procure, at the salary offered, a man able and willing to undertake such responsible and complex duties demanding all his time, despite the fact that the salary was, for the period, relatively high. The commissioners found that there was no such person in North Carolina. They therefore persuaded Dr. Edmund Strudwick of Hillsboro to assume the duties temporarily until a permanent superintendent could be employed. Later they appointed Dr. Edward C. Fisher of Richmond, Virginia, who had been for several years associated with Dr. Stribling in the Western Asylum of Virginia. When Dr. Fisher took charge, plans had been completed, foundations laid, and walls begun,[41] but from this time on Dr. Fisher became the real director of the work.

Whether Miss Dix had been in touch with those who were working for the asylum from 1849 to 1853 does not appear in the sources available, but at least from 1853 to 1856 she was in touch with Dr. Fisher and took the greatest and most helpful interest in the many problems of construction, organization, and staffing with which he was faced.[42]

In spite of all these efforts the work dragged. It was difficult

[37] There was some confusion as to the precise meaning of the law on this point and consequently over the exact site. *Raleigh Register*, February 7, 1849.
[38] *Legislative Documents*, 1850-51, Vol. II, *Senate Documents* 3, p. 10.
[39] *Legislative Documents*, 1850-51, Vol. I, *Executive Documents* 3, p. 10.
[40] See above, page 194.
[41] *Legislative Documents*, 1854-5, Nos. 4 and 11.
[42] *Ibid.*, 1856-57, No. 11.

to get funds. The years were passing and the insane remained in their pitiful plight. The press tried to cheer on the work.[43] The superintendent at last made a very earnest appeal. He stated that the work ought to be prosecuted with vigor because of the insane still neglected, for the sake of prudent economy, and that there might be a custodial agent to prevent danger from the insane to themselves and others.[44]

In 1855, therefore, the House again bestirred itself and passed two new acts. The first incorporated the institution and placed its organization on a permanent and more detailed basis; provided for the notification of the public and for the selection of patients for admission;[45] raised the commitment requirements to testimony of a citizen, a physician, the decision of three or more justices, and confirmation by the board of directors; provided for the discharge or release of patients cured or found harmless and incurable; reënacted the county-tax-support clause; and extended indefinitely the land and poll tax.[46]

The second act appropriated $80,000 to complete, furnish, and enclose the asylum. The money for this purpose was to be raised by a bond issue; interest on the bonds was to be paid from the annual tax for the asylum; and a similar fund for ultimate retirement of the bonds was to be established from the balance of the tax funds.[47] It was under this law that the asylum was opened a year later.

Throughout these years construction of the hospital was going on. To realize something of what this involved we must endeavor to return in imagination to the days before electric lighting, large-scale power-driven machinery, and steel and concrete construction, to a much cruder mechanical age. Brick for the building had to be made on the grounds. Fire-proofing was a grave problem; heating, lighting, and water supply were still more difficult. Steam heat was just coming into use; gas light was fairly new. To study these systems Dr. Fisher was obliged to take a trip to the asylums of other states, going as far north as Boston, and himself working out much of the detail for the

[43] *Raleigh Register*, December 23, 1848, Dec. 27, 1848. As years passed, however, the subject lapsed.
[44] *Legislative Documents*, 1854-5, No. 5.
[45] On basis of preference for a fair ratio to the white population of the counties, and for the curable cases, if not room for all.
[46] *Laws of North Carolina*, 1854-55, Chap. II.
[47] *Laws of North Carolina*, 1854-55, Chap. III.

steam and gas systems installed.[48] One feels that an immense share of the credit for the successful opening of the institution belongs to him.

On March 5, 1856, the hospital was ready to receive forty patients; on March 12, official notice of this was given in the *Raleigh Register;* and on April 9 it was ready to receive forty additional patients. With this opening it entered upon its active career.[49]

During the early years of the asylum, however, there were still many problems to be solved. Dr. Fisher remained in charge and grappled with these manfully.[50] The problem of finance was, of course, continuous. It was estimated that to October 31, 1856, $184,938.58 had been expended on the building,[51] a sum exceeding the maximum forecasts of its early advocates. This estimate does not include the $6,567.63 paid for the land. It is not, therefore, to be wondered that the legislature was reluctant to appropriate the sums requested.

Certain things, however, remained incomplete in 1856—the water system, the gas lighting system, and the wall around the grounds. The wall was essential if the patients were to be allowed to walk and work in the asylum grounds. Unhappily, the wall remained incomplete throughout the period to the detriment of the health, happiness, and mental progress of the patients. It was also found desirable to establish a farm in connection with the hospital to supply it with food.[52]

All these things required money and in 1857 the legislature appropriated $35,000 for enclosure, water supply, and other purposes.[53] The regular support of the institution was also put on a different basis. County payments for patients remained, but the land and poll tax was abandoned in favor of a direct appropriation of $20,000 a year for 1857 and 1858, and

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[48] *Legislative Documents,* 1854-55, No. 6, *Report of Superintendent to Commissioners.*

[49] *Raleigh Register,* March 5, March 12, April 9, 1856. On April 30 the *Register* reports that six or seven patients had just been received, some quite violent, and adds that the violent ones were immediately straight-jacketed. I find neither denial nor verification of this statement.

[50] Dr. Fisher's annual reports to the directors of the asylum and theirs to the legislature are the chief records of the asylum's life during this period. They are contained in the *Legislative Documents,* 1856-63.

[51] *Legislative Documents,* 1856-7, No. 11, *Treasurer's Report,* p. 25.

[52] Reports of the Directors and Superintendent of the Lunatic Asylum in *Legislative Documents,* 1856-7, No. 11; 1858-9, No. 11; 1860-1, No. 11; 1862-3, No. 11.

[53] *Laws of North Carolina,* 1856-7, Chap. V, p. 5.

$25,000 a year for 1859 and 1860. This money was drawn from the undesignated funds in the treasury.[54]

A more difficult problem was that of the personnel of the staff. There was no one in the State who had had training or experience in this most difficult sort of work and the salaries and wages were not such as to attract outsiders. Dr. Fisher himself received annually $2,000; the assistant physician, $600; the steward, matron, engineer, and supervisor, each $400-$600; male attendants $200 and female attendants $180; male servants $120 and female servants $60. It was hardly a tempting situation economically for any but the unskilled. Dr. Fisher was therefore obliged to draw on the population nearby, largely agricultural and wholly unacquainted with the work and problems with which they were to cope. Dr. Fisher showed great personal ability and did a real service to the State in training such a staff and maintaining among them a good spirit and a desire to learn.[55]

The patients themselves, for whom the hospital existed, were of course the crucial problem. In 1856 ninety were admitted. In 1858 there were one hundred and fifty in the hospital, forty-five paying patients and a hundred and five county patients. In 1862 Dr. Fisher stated that there were one hundred and ninety-five patients in the hospital. Each year a few died, some were discharged as harmless and incurable, and others were discharged as cured. About one half of the total number each year were thus displaced, to be replaced by new admissions. The figures given in the reports can hardly be used for drawing conclusions as to the success of the experiment, since there were many complicating factors. For instance, among the deaths there were cases of long neglect; there were commitments by the ignorant which may have been unnecessary; and there were uncertain diagnoses and still more uncertain prognoses as to the permanency of cure or the certainty of "harmlessness." On these problems Dr. Fisher touches in his reports.

How uncertain the diagnoses were may be gathered from the following listed causes taken from the reports of 1856 and 1862. In 1856, of the 90 patients, causes of insanity listed were: un-

[54] *Laws of North Carolina*, 1856-7, Chap. III; 1858-9, Chap. II.
[55] *Report of Superintendent*, 1856-7; 1858-9.

known 47, epilepsy 11, ill-health 8; the rest were attributed one, two, or three each to such miscellaneous causes as intemperance, masturbation, political excitement, and family troubles. In 1862 there were 195 patients, but the list of cases is based on a two-year study including more than 280 patients. Causes of insanity listed were: unknown 112, epilepsy 23, ill-health 22, masturbation 16, intemperance 16, domestic troubles 11, others scattering as above.

If hundreds of cases had to be recorded by the most expert physicians as "cause unknown," it is hardly to be expected that the layman could understand the technicalities of the work and Dr. Fisher's reports accordingly do not include discussion of the methods used in treatment.

A new organization, however, was growing up which would in time supply the necessary backing of understanding aid and link the institution with the community more effectively. That organization was the North Carolina Medical Society.

As far back as 1799 a Medical Society had been organized in the State. It had been incorporated and had formulated plans for advancing medical science, including a board of examiners for licensing physicians, but had lapsed and had been forgotten by all but one or two.[56] Interest did not die, however, and "On January 27, 1849, certain physicians who were members of the Legislature, together with several other physicians, met in the Clerk's Room of the Senate Chamber and, after conferring, issued a call for a State Medical Convention."[57]

The convention met and organized the "North Carolina Medical Society" with Dr. Edmund Strudwick of Hillsboro as its first president.[58] Its early years were devoted to organization, to drawing up a code of medical ethics, to a careful enlargement of membership, and to the reading of papers on various medical subjects at its meetings.[59] By 1858-1859 it had grown to considerable power and in this year took two important steps. One of these was to obtain the passage by the legislature of an act regulating medical practice in the State. This act incorporated

[56] Long, J. W., *Early History of North Carolina Medical Society*, p. 1-6. This contains also a brief sketch of the Society founded in 1849.

[57] Long, *op. cit.*, pp. 6-7.

[58] *Minutes of the Medical Convention*, p. 7, in *Transactions of the Medical Society of North Carolina; Standard*, April 25, 1849.

[59] *Transactions, passim.*

the North Carolina Medical Society. It also provided for licensing of all physicians. Any physician not already practicing in the State must take an examination before being licensed. Seven members of the Medical Society constituted the examining board. The society could appoint these examiners unless the legislature chose to do so. Five examiners constituted a quorum for examining candidates; and four must pass a candidate or he could not be licensed. The applicant must also prove himself to be twenty-one years of age and of good moral character; and his license was subject to recall by the board for gross immorality. This was the first state law of its kind and excited great interest outside the borders of North Carolina.[60]

At almost the same time the society began the publication of a quarterly *Medical Journal* which continued through 1862, when its publication was interrupted by the Civil War. It was resumed in 1878 and has continued ever since.[61] This *Journal* exchanged with other medical journals, printed hospital reports and medical notices of other states and countries, and reviewed books published in the United States and abroad, thus bringing the profession in the State abreast of the medical knowledge of the day. In addition it carried long articles by its members on various diseases, treatments, methods, and remedies. The society also took up such questions as the registry of births and deaths, and the advisability of establishing a medical college in the State at some future date.[62]

Such an organization, building up a genuine professional body of high standards both ethical and technical, and in touch with the literature of its profession, meant inevitably an immeasurably improved coöperation with the asylum. Through it, the asylum could hope for earlier diagnosis and commitment of cases, for aid in dealing with surgical and medical aspects of its problems and for the gradual education of the public in its attitude toward insanity. But such things must, of necessity, be slow and rather intangible developments to be reflected chiefly in a later period.

Immediately, however, certain direct, coöperative contacts

[60] *Transactions*, 1858, 1859, 1860.
[61] *North Carolina Medical Journal*, especially Vol. III of first series, and Vol. I of resumed series. The series in 1878 began numbering from Vol. I, No. 1, disregarding the earlier series. So numbers in the two series are duplicates.
[62] *Raleigh Register*, April 10, 1860.

were established. It will be remembered that it was Dr. Strudwick, the first president of this society, who served as temporary superintendent of the asylum when its construction was first begun. In 1856 Dr. Fisher, then superintendent, was nominated for membership, and in 1857 he was elected.[63] At the first meeting of the society held after the opening of the asylum, Dr. Fisher invited its members to visit that institution. This they did in a body, and in return they asked him to present a paper at the next meeting on insanity or some other topic of his choice. Apparently he declined the request, for no such paper is reported at any of the subsequent meetings.[64]

Such a relationship between asylum and medical society was bound to grow stronger and stronger as a factor in the state's care and treatment of insanity. Though its chief contributions lie in a later period, it cannot be ignored as one phase of the early development of the asylum.

In line with the trend in the rest of the Western World, North Carolina between 1849 and 1860 had definitely adopted the new philosophy of humane care for the insane as "men and brethren," and the theory and practice of state responsibility for their care. It had taken its place with the other states and nations of the world in removing them from the penal system and putting them under medical care in a state hospital, and the problem had passed out of the realm of penal reform and political dispute into that of medical research, diagnosis, and treatment. Despite economic backwardness, sectionalism, and the influence of a negative theory of government, the constructive, progressive, humanitarian forces in the State had triumphed.

This triumph we may attribute largely to four factors: the work of able leaders, the non-partisan backing of a strong press, the brilliant intervention of Miss Dix at a crucial moment, and the dogged persistence of Dr. Fisher in the discouraging early years of the hospital's history. By the leaders the political majority were won over through a combined appeal to humane sentiment, state pride, and the desire for financial savings through a more economical system.

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[63] *Proceedings of Medical Society*, 1856, p. 4, 1857, p. 20, in *Transactions*.
[64] *Transactions*, 1856, p. 6, and 1857-1860, *passim*.

WOMEN IN THE FOUNDING OF THE SOUTHERN COLONIES

By Julia Cherry Spruill

"When the plantation grows to strength, then it is time to plant with women as well as with men; that the plantation may spread into generations, and not be ever pieced from without."[1] Thus wrote Lord Bacon, member of His Majesty's Council for Virginia, and so described the general idea of the function of women in the settlement of colonies. They were to supply an increase of population. Also they were needed, according to other promoters of plantations, to make the masculine settlers more comfortable that "their minds might be faster tyed to Virginia." The founders of the colonies early realized that mothers and housewives were indispensable to the success of their undertaking and urged women to emigrate. They made special appeals to young and marriageable females, offering them not only generous land grants, but also advantageous matrimonial matches.

Women did not wait to come until inducements had been offered and the plantations had become settled and secure, however, but were found in each of the colonies almost from its beginning. The first group of settlers sent by Sir Walter Raleigh was of men only, but seventeen women suffered the unknown fate of the famous "Lost Colony" which came to Roanoke Island in 1587.[2] No mention was made of women among the first persons to arrive at Jamestown with Captain Newport in 1607 or in the "First Supply" in January, 1608, but in the "Second Supply," arriving in the fall of 1608, were the wife of Thomas Forrest and Anne Burras, her maid. Captain John Smith wrote of them in his *Generall Historie* as "the first gentlewoman and woman-servant that arrived in our colony." Not long after, when Anne was married to John Laydon, one of the first emigrants, Smith noted that it was the first marriage they had in Virginia.[3]

In the next few years women continued to come to Virginia,

[1] Brown, Alexander, *Genesis of the United States*, II, 799-801.
[2] Ashe, Samuel A'Court, *History of North Carolina*, I, 11-12; Connor, R. D. W., *North Carolina, Rebuilding An Ancient Commonwealth*, I, 69-71.
[3] *Works*, (Edward Arber edition, Birmingham, 1884), pp. 446, 447.

though in much smaller numbers than men. In a broadside of 1609 women as well as men were solicited for "the better strengthening of the colony," and the *Blessing*, which arrived at Jamestown in August of that year, brought twenty women and children.[4] In the "Great Supply" sailing in the nine ships under the command of Gates, Somers, Newport, and others from England in 1609, there were about one hundred women with the four hundred to five hundred men. Some were the wives and daughters of gentlemen. John Rolfe and his first wife were with Somers and Gates, and among those that arrived with Lord Delaware in June, 1610, was Jane, daughter of William Pierce, who later became the third wife of John Rolfe.[5] With Sir Thomas Gates in 1611 were his wife and two daughters, but his wife died on the way and his daughters were sent back to England.[6] The *John and Francis*, which sailed from England in November, 1614, brought thirty-four men and eleven women.[7]

These first women and those who soon followed them suffered inexpressible hardships and privation. Smith, in a letter dated December, 1608, described the colonists as "the one halfe sicke, the other little better," and added, "our dyet is of a little meale and water, and not sufficient of that."[8] Only by means of help from the Indians, and the oysters and fish in the nearby waters did the little band survive until July, when Captain Argall arrived at Jamestown in a ship supplied with wine and biscuit. The next winter, following Smith's departure for England in October, came famine, pestilence, and an Indian massacre. To agues and fevers, which had carried away many before, were added yellow fever and the plague; and the Indians, instead of supplying the settlers with corn, pillaged their homes and murdered them. Of the whole population of about five hundred, there remained "not past sixty men, women, and children, most miserable and poore creatures, and those were preserved for the most part by roots, herbes, acornes, walnuts, berries and now and then a little fish."[9]

Incredible stories were told of this horrible winter. "Famine

[4] Brown, *op. cit.*, I, 248-249, 329.
[5] Brown, Alexander, *The First Republic*, p. 132.
[6] Neill, Edward D., *The Virginia Company of London*, p. 70.
[7] Brown, *The First Republic*, p. 224.
[8] Smith, *Works*, p. 444.
[9] *Ibid.*, p. 498.

compelled us wholly to devoure those Hogges, Dogges & horses that weare then in the Collony, together with Rates, mice, snakes . . . ," wrote one of the "ancient Planters," and "[we] weare driven through unsufferable hunger unnaturallie to eat those thinges which nature most abhorred, the flesh . . . of man, as well of our owne nation as of an Indian, digged by some out of his grave after he had laien buried three daies & wholly devoured; . . . others, envyinge the better state of bodie of any whom hunger had not yet so much wasted as there owne, lay weight and threatened to kill and eat them; one amonge the rest slue his wife as she slept in his bosome, cutt her in pieces, powdered her & fedd upon her till he had clean devoured all her partes saveinge her heade, & was for soe barbarouse a fact and cruelty justly executed."[10] This "tragicall histoire" of the man's eating his wife, however, was denied as a "scandalous report" in a pamphlet published under the direction of the Council of Virginia, which gave this version of the gruesome incident: "There was one of the companie who mortally hated his wife, and therefore secretly killed her, then cut her in pieces and hid her in diuers parts of his house: when the woman was missing, the man suspected, his house searched, and parts of her mangled body were discouered, to excuse himself he said that his wife died, that he hid her to satisfie his hunger, and that he fed daily upon her. . . . Hee . . . confessed the murder and was burned for his horrible villany."[11]

Whether the desperate colonists actually resorted to cannibalism or not, when Sir Thomas Gates and Sir George Somers arrived with one hundred and fifty persons in June, 1610, conditions were so discouraging that it was decided to abandon Jamestown. Their ship with the wretched remnants of the colonists on board was sailing for England when, before they had passed out of James River, they met Lord Delaware, who had been sent as governor with three ships supplied with provisions. Encouraged by the aid of fresh recruits and supplies, they returned to Jamestown and began life anew.

During these first years the colonists had been organized as

[10] "A Briefe Declaration of the Plantation of Virginia duringe the First Twelve Years . . . By the Ancient Planters nowe remaininge Alive in Virginia. 1624." Wynne, Thomas H., and Gilman, W. S. (eds.), *Colonial Records of Virginia (1619-1680)*.

[11] "A True Declaration of the estate of the Colonie in Virginia. . . . 1610." Force, Peter (ed.), *Tracts and Other Papers. . . .*, Vol. III, No. 1, p. 16.

a communal body, with each person working for the group as a whole and receiving rations from the "common kettell." But when Sir Thomas Dale arrived as governor in 1611, he encouraged the establishment of separate households and gardens. He assured to every man with a family a house of four rooms or more and sufficient provisions for twelve months, allowed him twelve acres of fenced-in ground, furnished him with tools, and gave him a cow, several goats, and a start of poultry and swine.[12] A majority of the female settlers were probably mistresses of households, but regulations drawn up at the time show that women, probably the poor and unmarried, were performing services for the company's tenants in return for their allowance out of the common store. One regulation provided that any laundress appointed to wash for the company's laborers and soldiers as her particular duty who should take payment for her work, withhold linen committed to her to wash, or return old and torn linen for good, was to be whipped and imprisoned. Another provided severe punishment for "what man or woman soever" who should rob any garden which he or she had been "set to weed." Other regulations throw light upon the domestic economy of the time. All persons, men and women, were forbidden to "wash any uncleane Linen, . . . throw out water or suds of fowle cloathes" in the streets or within the palisades, or to "rench, and make cleane, any kettle, pot, or pan, or such like vessell, within twenty foote of the old well, or new Pumpe." Extreme punishment was prescribed for any baker or cook who should ask or take payment for his work or detain any part of the flour, meal, or flesh committed to him to prepare.[13] Bakers and cooks were apparently men.

In the next few years after Dale's coming peace was secured with the Indians through the instrumentality of Pocahontas, daughter and "dearest Jewell" of the Indian chief, Powhatan. Pocahontas had befriended the first settlers at Jamestown, bringing them provisions and serving as mediator between them and her people. But after Smith's departure she was not seen again in the town until in 1612, when she was brought there captive. Captain Argall, an unscrupulous Englishman, had found her

[12] Hamor, Ralph, *True Discourse of the Present State of Virginia*, p. 19.
[13] "Articles, Lawes, and Orders, Diuine, Politique, and Martiall for the Colony of Virginia. . . . 1611." Force, *op. cit.*, Vol. III, No. 2.

with a friendly Indian named Japazaws and, remembering her former usefulness in dealing with her father, plotted to take her to Jamestown as a hostage. With the aid of Japazaws and his wife, whom he bribed with the promise of a copper kettle, he had got Pocahontas aboard his ship and upon arriving at Jamestown notified her father that he would release her upon the Indians' return of some English prisoners and arms they were holding.[14]

While Argall was parleying with Powhatan, Governor Dale and John Rolfe, then a widower, were attempting to convert their pagan captive to Christianity, and in the course of his instructions Rolfe conceived the idea of marrying her. She was baptized and christened Rebecca and with the consent of Powhatan, who sent her uncle and two brothers to attend her, she was married in the church at Jamestown.[15] Whether Rolfe felt a genuine attachment for the young Indian girl,[16] or sought to advance his interests at Jamestown by a union with an Indian princess, of which scheming he was accused, or married her, acclaimed by his friend and defender, Ralph Hamor, "Meerely for the good and honour of the Plantation," the union was apparently approved by all and brought peace with the savages. Letters sent home by Reverend Alexander Whitaker and Sir Thomas Dale told of the peace following the marriage, and Hamor wrote: ". . . euer since we haue had friendly commerce and trade, not only with Powhatan, himselfe, but also his subjects round about vs."[17]

Though the marriage of Pocahontas and Rolfe was generally regarded as an auspicious occasion, no other unions between Indians and whites are recorded in the early years of the colony. Sir Thomas Dale, whose wife was living in England, besought Powhatan to give him his youngest daughter, sister of Pocahontas, for "his neerest companion, wife, and bedfellow" as a bond of "perpetual friendship," and sent Hamor with presents of beads, copper, wooden combs, fish hooks, and knives, to make his proposal. But the chief refused to listen, declaring that it

[14] Smith, *Works*, pp. 511-512.
[15] Hamor, *True Discourse*, pp. 10-11.
[16] His letter of apology for marrying "one whose education hath been rude, her manners barbarous, her generation accursed," hardly suggests the romantic lover. The letter is given in full in Tyler, Lyon Gardiner (ed.), *The Narratives of Early Virginia*, pp. 239-244.
[17] *Op. cit.*, pp. 10-11.

was unbrotherly of Dale to request another daughter as a pledge of friendship.[18]

Whether other men at Jamestown had scruples against being "unequally yoked with unbelievers" or objected to Indian women for other reasons, they did not take them for wives. As the proportion of white women to men was small, there were naturally a large number of bachelors and widowers. These unmarried men were not interested in building permanent homes in Virginia or in cultivating lands to be enjoyed by future generations, but planned to make their fortunes and then return to England. Recognizing this unsettled character of their tenants, promoters of the London Company realized that it was very important to induce their bachelor farmers to marry and settle down in Virginia. Richard Martin, the company's attorney, in a speech before the House of Lords in May, 1614, declared that Virginia's greatest need was for honest laborers with wives and children and moved that a committee be appointed to consider means of securing them.[19]

At a meeting of the company, November 3, 1619, Sir Edwin Sandys, the treasurer, made several recommendations for improving their plantation. One was the sending of a hundred women to Virginia as wives to "make the men more setled & lesse moveable who by defect thereof (as is credibly reported) stay there but to gett something and then return for England." Such instability, he was sure, would "breed a dissolucon, and so an overthrow of the Plantation."[20] The transportation of the maids, he declared, should be paid for by the planters who took them for wives. The company approved these suggestions and the following spring sent ninety maids to Virginia. The next year Sandys urged sending a hundred more maids, but the lack of funds in the treasury prevented it. Later, explaining that from "the want of wives have sprung up the greatest of hindrances of the encrease of the plantation," the company attempted to raise money by subscription for sending maids and succeeded in getting enough to pay the transportation of twelve.[21]

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[18] *Ibid.*, p. 41; Smith, *Works*, pp. 517-520.
[19] Neill, *op. cit.*, p. 70.
[20] Kingsbury, Susan M. (ed.), *Records of the Virginia Company of London*, I, 256.
[21] *Ibid.*, p. 566.

The letter of instructions accompanying these young women stated that special care had been taken in choosing them, for "not one had been received but upon good recommendation," and urged the Virginia authorities to place them in the homes of married householders and allow them food until they could be "provided with husbands." For defraying the charges of their transportation each planter who married one of the maids was to pay one hundred and twenty pounds of the best leaf tobacco. They were not to be married to servants, but only to freemen with the means of maintaining them. "We pray you, therefore," said the letter, "to be fathers to them in this business, not enforcing them to marry against their will." Also the letter declared that the company would consign the first servants they could send over to the planters who married these maids, as it was their intent "to preserve families and proper married men before single persons."[22]

The same letter stated that fifty more maids would be sent shortly by the Earl of Southampton and other worthy gentlemen, who realized "that the plantation can never flourish till families be planted and the respect of wives and children fix the people on the soil." Accordingly, in September, 1621, "an extraordinary choice lot of thirty-eight maids for wives" was dispatched with a letter asking that they be received "with the same Christian piety and charity as they were sent from hence" and that they be married to "honest and sufficient men."[23] For the charges disbursed in setting them forth the adventurers asked one hundred and fifty pounds of tobacco for each maid.

In its efforts to anchor its discontented bachelors to the soil of Virginia the company sent in all one hundred and forty maids, ninety in 1620 and fifty in 1621 and 1622.[24] Afterwards it did not concern itself with supplying wives to its colonists. But the importance of women continued to be appreciated. The Virginia House of Burgesses in a petition of July 31, 1619, asked that lots of land be allowed them for their wives as well as for themselves, declaring, "because that in a newe plantation it is

[22] McIlwaine, H. R., "The Maids Who Came to Virginia in 1620 and 1621 for Husbands," *The Reviewer*, I (April 1, 1921), 109-110.
[23] *Ibid.*, p. 111; Neill, Edward D., *English Colonization of America*, p. 155.
[24] McIlwaine, *op. cit.*, p. 113.

not knowen whether man or woman be the most necessary."[25] The petition was granted and husbands were allowed shares for their wives equal to those given for their own ventures.

According to a letter sent from Virginia in 1622, all the maids sent over by the company had already been married.[26] But they did not "live happily ever after." The same year came a terrible Indian massacre, in which about four hundred of the twelve hundred and forty inhabitants were murdered. From a study of a muster of the inhabitants in Virginia in 1625 it has been estimated that only thirty-five of the one hundred and forty maids were then alive.[27] After 1624, when the company turned the colony over to the crown, it became more secure and prosperous, and women were courted and won in marriage and lived more as they did in the mother country.

Virginia had passed through its critical years when in 1633 Lord Baltimore, soon after the departure of the *Ark* and the *Dove* from England, wrote a friend that he had finally succeeded in sending a "hopeful colony" into Maryland, in which were two of his brothers, twenty other gentlemen of "very good fashion," and three hundred laboring men.[28] The letter made no mention of women, but that women were among these first Marylanders appears in an account of the voyage by Father Andrew White, one of the passengers. Writing of the arrival of the little ships at an island in Chesapeake Bay, he declares: "Here by the overturning of a shallop we had allmost lost our mades which wee brought along. The linnen they went to wash was much of it lost, which is noe small matter in these partes."[29]

Another narrator described the settlers' arrival at the place they named St. Mary's, which was then an Indian village. They presented the natives with English cloth, axes, hoes, and knives, and in return received permission to dwell in a part of their town. They moved at once into the half allowed them, using the natives' wigwams as well as their corn fields. Seating themselves thus upon lands already cleared, they were able to start at once to plant corn, make gardens, and build a guardhouse,

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[25] McIlwaine, H. R. (ed.), *Journals of the House of Burgesses*, I, 7; Kingsbury, *Records of the Virginia Company*, I, 566.
[26] Stanard, Mary Newton, *Colonial Virginia*, p. 167.
[27] McIlwaine, "Maids who Came to Virginia in 1620 and 1621," *The Reviewer*, I, 105-113.
[28] Scharf, J. Thomas, *History of Maryland*, I, 68.
[29] "Briefe Relatione of the Voyage unto Maryland," Hall, Clayton Colman (ed.), *Narratives of Early Maryland*, p. 40.

storehouse, and dwellings. They procured hogs, poultry, cattle, and fruit trees from Virginia, and the Indians helped them fish and hunt deer and turkeys. By virtue of their peaceful relations with the natives and the advantages of having a settled neighboring province, they escaped the horrors of war and famine, and within six months advanced as far in founding their colony as Virginia had done in six years.[30]

Lord Baltimore encouraged the coming of women to Maryland. His first "conditions of plantation" offered to each adventurer a hundred acres for himself, a hundred for his wife, fifty for each child, a hundred for each manservant, and sixty for a woman servant. Women heads of families were treated just as men. Later the grants were reduced to fifty acres for each man or woman and twenty-five for a child, and the conditions required that men be between sixteen and fifty years old and women between fourteen and forty.[31] Among those arriving during the first years of settlement were wives of adventurers, a larger number of maidservants, and several women adventurers, who came at their own expense, brought in servants, claimed large tracts, and set up plantations. The names of Mistresses Mary Tranton [also spelled Throughton], Frances White, Winifred Seaborne, Elizabeth Beach, and Mary and Margaret Brent appear frequently in the records as recipients of generous land grants and also in numerous law suits.[32]

A bill passed by the assembly in 1634 suggests some opposition to the holding of lands by unmarried women. A letter to Lord Baltimore in 1638 complained against the measure: "That it may be prevented that noe woman here vow chastety in the world, unlesse she marry within seven years after land shall fall to hir, she must either dispose away of hir land, or else she shall forfeite it to the nexte of kinne, and if she have but one Mannor, whereas she canne not alienate it, it is gonne unlesse she git a husband."[33] Spinsters were unpopular in an infant colony. But this early limitation of their rights did not become the law,

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30 "A Relation of Maryland, 1635," *ibid.*, pp. 70-112.

31 *Archives of Maryland*, III, 47-49, 99.

32 "Land Notes," *Maryland Historical Magazine*, V, 165-174, 261-271, 365-374; *Archives of Maryland*, I, index. For a description of the extraordinary activities of one of these early Maryland dames, see Spruill, Julia Cherry, "Mistress Margaret Brent, Spinster," *Maryland Historical Magazine*, XXIX (December, 1934), 259-268.

33 "Calvert Papers," Maryland Historical Society, *Fund Publication*, No. 28, p. 165.

for the proprietor vetoed all the measures of the first assembly.[34]

The Lords Proprietors of Carolina, like Lord Baltimore and the London Company, encouraged the emigration of families to their colony by offering lands for the transportation of wives, servants, and children. The first permanent settlements in the northern part of Carolina were not made by persons directly from Europe as in Virginia and Maryland, but by an overflow of population from Virginia. Adventurous or dissatisfied persons in search of cheaper and better lands gradually moved down those rivers of southeastern Virginia which flow into the Carolina sounds. Their favorable reports of the new country brought others until by 1663, when the proprietors received their charter, there was a steady stream of immigrants into the Albemarle region.[35] The first expeditions, interested chiefly in exploring the country, probably consisted only of men, but later migrations were doubtless of whole families bringing their household goods and bent on setting up permanent homes. Unfortunately no record was kept of these movements which might throw light upon the first North Carolina women.

More information is available concerning those who helped in the founding of South Carolina. Among the passengers of the *Carolina,* the *Port Royal,* and the *Albemarle,* which in August, 1669, the Lords Proprietors sent under the command of Joseph West to found a colony at Port Royal in the lower part of their province, were wives and women servants. After experiencing many adventures on their passage,[36] these first South Carolinians made a settlement in April, 1670, at Albemarle Point on the west bank of the Ashley River. As this location proved unfavorable, ten years later the government and most of the settlers moved to the neck between the Cooper and Ashley rivers, the site of the present city of Charleston.

Letters of these first arrivals tell something of the life in the early years of the colony. Though their provisions sometimes ran

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[34] Scharf, *op. cit.,* I, 121.

[35] Connor, *op. cit.,* I, 73-76; Ashe, *op. cit.,* I, 59-60.

[36] The fleet reached Barbadoes in October, where it was struck by a gale, and the *Albemarle,* having been wrecked, was replaced by a shallop called *The Three Brothers.* Later the *Port Royal* was cast away near one of the Bahama Islands, but her passengers reached the shore and got transportation to Bermuda, where the other two vessels had already arrived. Here a sloop was obtained to replace the stranded *Port Royal.* Then *The Three Brothers* was separated from the other vessels and did not reach Carolina until a month after the others had arrived. Salley, Alexander S. (ed.), *Narratives of Early Carolina, 1650-1708,* pp. 111-112.

low and they feared the Spaniards, who had a settlement below them, their difficulties were small when compared with those of the first Virginians, for they were able to obtain food and other supplies from neighboring colonies.[37] Thomas Newe, writing his father soon after arriving at Charles Town in 1682, declared that the town, which two years before had had only three or four houses, had then about a hundred. Charles Town housewives were probably having many troubles, for all provisions in town were very dear. The common drink was molasses and water; malt was not yet being made. Country housekeepers fared better, for each family had a stock of hogs and cattle, and those who understood how to do it made as good butter and cheese as in England. They raised all sorts of English fruits and garden herbs, besides many others he had never seen in England, and were furnished with venison, fish, and fowl by the Indians for trifles.[38] Thomas Ashe, advertising Carolina in the same year, declared that numerous fruit trees and vines grew wild, and in the gardens were raised all European plants and herbs necessary for the kitchen, such as potatoes, lettuce, coleworts, parsnips, turnips, carrots, and radishes. Even flower gardens were being started with roses, carnations, tulips, and lilies.[39]

The hardships suffered by some of the first women are suggested by the painful experiences related in a letter by Judith Manigault, one of the French Huguenots. As Judith Giton, a young woman of about twenty with relatives and friends, she had escaped from her native land, abandoning home and household goods. Arriving penniless in South Carolina sometime in 1685, she soon married another refugee, Noe Royer, a weaver. With her husband she grubbed the land, felled trees, and operated the whip-saw. For six months together, she declared in a letter to her brother, she went without bread while working the

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[37] Joseph West, writing Lord Ashley from Albemarle Point, June 27, 1670, explained that it had been necessary to send the Barbadoes shallop to Bermuda for supplies, lest the *Carolina* sent to Virginia for that purpose miscarry, for, he declared: "We have but 7 weeks provision left and that onely pease at a pint a day a man. . . . and we cannot employ our servants as wee would because we have not victualls for them." The following September Governor Sayle wrote of the arrival of the *Carolina*, which brought enough Indian corn, peas, and meal for eight months and some cows and hogs from Virginia. The people, he declared, were much in need of clothing and "overprest with watching [guard duty]" but only four of the colonists had died from the "distempers usual in other parts." *Ibid.*, pp. 121, 123.

[38] "Letters of Thomas Newe, 1682," *Narratives of Early Carolina*, pp. 181-182, 184.

[39] "Carolina, Or a Description of the Present State of That Country," *ibid.*, p. 145.

ground like a slave, and for a period of three or four years she did not always have food when she wanted it.[40] After the death of her first husband, she married Pierre Manigault, who with his brother Gabriel had come to Carolina after the revocation of the Edict of Nantes. Pierre, having brought a limited amount of money, obtained a house, where Judith kept boarders and lodgers while he operated a distillery and cooperage. Their earnings from these enterprises formed the basis of the large fortune later enjoyed by their distinguished son, Gabriel Manigault. But this son was only seven years old when in 1711 Judith died without knowing that her hard labor and privation had helped lay the foundation of a great family.

Affra Coming, one of the first English settlers, wrote her sister March 6, 1698/99, regarding their difficulties: "I am sorry that I should be the messenger of so sad tidings as to desire you not to come to me till you can hear better times than here is now, for the whole country is full of trouble and sickness, 'Tis the Small pox which has been mortal to all sorts of the inhabitants & especially the Indians who tis said to have swept away a whole neighboring nation, all to 5 or 6 which ran away and left their dead unburied, lying upon the ground for the vultures to devour; besides the want of shipping this fall winter & spring is the cause of another trouble, & has been followed by an earthquake & burning of the town or one third of it which they say was of equal value with what remains, besides the great loss of cattle which I know by what has been found dead of mine . . . all these things put together makes the place look with a terrible aspect & none knows what will be the end of it."[41]

Declarations and instructions of the Lords Proprietors and pamphlets advertising Carolina show that appeals to emigrate were made to women as well as to men. Adventurers were given land grants for the transportation of their wives, children, and servants as for their own ventures. Women heads of families

[40] This letter is given in full in Baird, Charles Washington, *Huguenots in America*, II, 396-397. See also McCrady, Edward, *South Carolina under the Proprietary Government*, pp. 320-321; Hirsch, Arthur Henry, *The Huguenots of Colonial South Carolina*, pp. 174, 229-231; and Ramsay, David, *History of South Carolina*, pp. 5-8.

[41] McCrady, *op. cit.*, p. 308. Affra Harleston, a servant, arrived on the *Carolina* with the first immigrants, and within the next two years married John Coming. At his death she came into possession of a considerable estate. Jervey, Theodore D., "The Harlestons," *South Carolina Historical and Genealogical Magazine*, III, 153. In 1698 Mrs. Coming gave seventeen acres of land adjoining Charles Town for the use of the minister as a parish lot, which grant was the beginning of parsonage property in South Carolina. Dalcho, Frederick, *Historical Account of the Protestant Episcopal Church in South Carolina*, p. 34.

were offered lands on the same terms as men, and women servants were given lands at the expiration of their terms, though in most cases their grants were smaller than those allowed men-servants.[42]

Publicists offered women prospects inducements besides generous land grants. One, after expatiating on the wonders of the climate and natural products of Carolina, declared: "The Women are very fruitful and the Children have fresh sanguine Complexions."[43] Another offered this encouragement: "If any Maid or single Woman have a desire to go over, they will think themselves in the Golden Age, when Men paid a Dowry for their Wives; for if they be but civil, and under 50 years of Age, some honest man or other, will purchase them for their Wives."[44]

The colonies of Virginia and Maryland were over a hundred years old and the Carolinas had passed through the first stages of colonization when in January, 1733, James Oglethorpe with thirty-five families ascended the Savannah River to Yamacraw Bluff and made a settlement at Savannah. The next year arrived about forty families of Salzburgers, who, having been driven first from the Tyrol and then from Germany, had taken advantage of Oglethorpe's offer of toleration in Georgia. After seeing his first colonists settled Oglethorpe returned in 1735 to England, and in the fall of that year brought back a body of German and English and settled a town on St. Simon's Island, which they called "Frederica." In January, 1736, one hundred and thirty Scotch Highlanders with fifty women and children founded a settlement called "New Inverness."[45]

Not much is known of the women in any of these groups. But of those who came with Oglethorpe in 1735 glimpses are to be had in a record kept by one of the passengers.[46] On board the ship they were given thread, worsted, and knitting needles, and were employed in making stockings and caps and mending clothes for their families. During the passage four children were born. When they arrived at Savannah and Oglethorpe

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[42] "A Declaration and Proposals to all that will plant in Carolina," *Colonial Records of North Carolina*, I, 43-46.

[43] Wilson, Samuel, "An Account of the Province of Carolina, 1682," *Narratives of Carolina*, p. 169.

[44] Horne, Robert (?), "A Briefe Description of the Province of Carolina, 1666," *ibid.*, p. 78.

[45] Jones, Charles C., *History of Georgia*, I, 119-120, 201.

[46] Moore, Francis, "A Voyage to Georgia Begun in the Year 1735," Georgia Historical Society, *Collections*, I, 88, 111-112, 114.

found it impossible to get ships to carry them to Frederica, he called the freeholders together and explained the hardships to be undergone in getting to the island. He pointed out that it would mean traveling one hundred and thirty miles in open boats and lying at nights in the woods exposed to cold and frost, and perhaps hard rains. After explaining these difficulties, which he said were almost insuperable to women and children, of whom there were a large number in the company, he told the men to talk it over with their wives and decide whether they chose to remain in Savannah or attempt the proposed settlement on the island. The women were apparently unafraid of hardships, for the answer brought back was that they wished to go on and settle the town of Frederica. When they arrived on the island, they found that Oglethorpe had built a bower thatched with palmetto leaves for each family. "These palmetto bowers," the chronicler declared, "were very convenient shelters, being tight in the hardest rains; they were about twenty foot long, and fourteen foot wide, and in regular rows, looked very pretty, the palmetto leaves lying smooth and handsome and of a good color. The whole appeared something like a camp; for the bowers looked like tents, only being larger, and covered with palmetto leaves instead of canvas."

As the promoters of Georgia appealed to the poorer classes for settlers, among the advantages they offered men to emigrate was the gainful employment of their wives and children. Pamphlets advertising Georgia compared the scanty earnings of a family in England with the generous rewards awaiting them in Georgia. They pointed out that women and children would find pleasant and remunerative work in the production of silk, one of the trustees' most cherished enterprises. This glowing picture was painted for the poor English workman who would take his family to the new colony: "Let him see the People all in Employment of various Kinds, Women and Children feeding and nursing Silkworms, winding off the Silk, or gathering the Olives; the Men ploughing and planting their Lands, tending the Cattle, or felling the Forest . . . let him see these in content and Affluence . . . and think if they are not happier than those supported by Charity and Idleness [in England]."[47]

[47] Martyn, Benjamin, "Reasons for Establishing the Colony of Georgia," *ibid.*, I, 231.

But while the trustees offered employment for wives and promised maintenance for one year for the family of each man who would go to Georgia, they did so to enable poor men with dependents to emigrate rather than to obtain women colonists. At first they made no bid for female settlers. They granted lands to men only, restricted their descent to male heirs, and provided that on the failure of male issue they were to revert to the trust.[48] Thus women colonists were prevented even from inheriting land. The trustees explained that this policy was due to the military character of the colony. Because of the hostile Spaniards on her southern frontier, Georgia required a large body of soldiers for defense. Therefore it was necessary to establish such tenures of land as would keep the number of soldiers equal to the number of lots. If women were allowed to inherit lots, the military strength of each township would soon be diminished, for every female heir would take one soldier from the garrison. Other inconveniences which would result from allowing lands to descend to women were that "women being equally incapable to act as soldiers or serve on juries, those duties and many others such as watchings and wardings, etc., would return so much oftener to each man in proportion as the number of men in the township was lessened, and by that means become very burdensome to the remaining male lot-holders."[49]

But after the first establishment of the colony, the importance of women settlers came to be recognized. There had been much grumbling against the system of land tenure, which finally the trustees modified, first allowing fathers to appoint daughters as their successors when they had no male children, and later permitting them to bequeath daughters lands whether or not there were sons.[50] Also the bachelor soldiers and farmers had not long been subjected to masculine housewifery before they began to demand wives.

In 1738 a minister of the Salzburgers urged that some unmarried Christian Salzburger women be brought over, or "other honest members of the female sex" who "would not regret to marry" in Georgia and "establish an orderly household."

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[48] *Colonial Records of Georgia*, III, 418.

[49] Moore, *op. cit.*, p. 97; "An Account Showing the Progress of the Colony of Georgia. . . . 1742," Humphrey, G. P. (ed.), *American Colonial Tracts*, Vol. I, No. 5, pp. 5-6.

[50] *Colonial Records of Georgia*, I, 164, 345-346; II, 7, 393-394; III, 378-379; V, 170.

Hitherto, he declared, the bachelors had "endured much disorder in their dwellings rather than marry such persons in whom they did not discover the token of a genuine fear of God and an exceptionally honest life."[51] In the same year another appeal came from the Salzburgers, asking that at least half a dozen unmarried women be sent to them.[52] So great was their need for wives that they requested Oglethorpe to leave with them some German servant women, declaring that the young men who married them would pay their passage.[53] Householders took Dutch servants into their homes, giving them temporal and spiritual instruction in preparation for marriage with their young men.[54]

The Salzburgers were not alone in realizing the need for wives, for after seeing the discomforts of his unmarried soldiers, Oglethorpe began to urge the trustees to send marriageable women to Georgia. In January, 1739/40, he asked them to give passage to the wives of some recruits, suggesting that it would be "a cheap way of increasing the Colony by 30 families," and declaring, "from single men there are great Inconveniences."[55] The trustees evidently approved his recommendations, for a report of their meeting, February 2, 1741-42, stated: "We agreed that it would help to people the Colony, that Women should go over, who would soon get husbands among the soldiers, and be an inducement to those soldiers to settle in the Colony when the time of their service should expire: and therefore Order'd that 30 head of women and children should go, the freight of whom would come to £180, and that 6 pence a day should be allow'd them for their maintenance till they were ship'd."[56]

A pamphlet describing conditions in Georgia in 1741 declared that the married solders were "the most industrious, and willing to plant,"[57] and the same year Oglethorpe suggested that the greatest service which could be done for the colony was to send over "married recruits with industrious wives."[58] Again, em-

[51] *Ibid.*, Vol. XXII, Part I, p. 348.
[52] *Ibid.*, p. 250.
[53] *Ibid.*, Vol. XXII, Part II, p. 464.
[54] "Letters from Oglethorpe," Georgia Historical Society, *Collections*, III, 100.
[55] *Ibid.*, pp. 104-105.
[56] *Colonial Records of Georgia*, V, 591.
[57] Percival, John, "Impartial Inquiry into the State and Utility of the Province of Georgia," Georgia Historical Society, *Collections*, I, 181.
[58] "Letters from Oglethorpe," *ibid.*, III, 113.

phasizing the same urgent need, he wrote: "The first Measure for us as Trustees to take is after supporting Religion to encourage Marriage and the rearing of Children . . . there is now at this place [Frederica] only above 700 men more than there are Women, most of these would marry if they could get Wives. The sending over single Women Without Familys that could protect them might be attended with Indecencys, but the giving of passage to the Wives, Sisters, and Daughters of Recruits and a small Maintenance till they go on board would be a remedy to this and much the cheapest way of peopling the Country. . . . We have found also that the married Soldiers live easiest, many of them having turned out very industrious Planters."[59]

Oglethorpe, Sandys, and the proprietors of Maryland and Carolina were of the same mind regarding the importance of women in founding colonies. Masculine settlers might explore new territories, clear the lands, and defend them against the Spaniards and the Indians, but alone they could establish only temporary camps in the wilderness. Women were necessary for the founding of permanent homes.

[59] "Letters from Oglethorpe," Georgia Historical Society, *Collections*, III, 144.

A BIBLIOGRAPHY OF NORTH CAROLINA IMPRINTS, 1761-1800

By Douglas Crawford McMurtrie

III

[*Continued from April, 1936*]

1792

Baptists. North Carolina. United Baptist Association.

[Minutes of the United Baptist Association, formerly called the Kehukee Association, holden at Bear Creek Meeting House, Lenoir County, North Carolina, October 13, 1792. Halifax: Printed by Hodge & Wills, 1792.] [167]

4to. 2+ p.

Title from Evans 25684 (not located) and from the title of the minutes of the preceding year. In this case, as in the case of many other similar entries, Evans has obviously taken his title from John Asplund's *Universal Register of the Baptist Denomination in North America*, Boston, 1794. See D. C. McMurtrie, *Early Printing in Tennessee*, Chicago, 1933, p. 42-43.

North Carolina. General Assembly. House of Commons.

[*Headband of type ornaments*] | Journal | of the | House of Commons. | [*Rule*] | North-Carolina. | At a General Assembly begun and held in the town of Newbern, on the fifth day of | December, in the year of our Lord one thousand seven hundred and ninety-one, | and of the independence of the United States of America the sixteenth: Being the | first session of this Assembly. | [*Rule*] | [Edenton: Hodge & Wills, 1792.] [168]

20 x 32.5 cm. 64, [2] p.

Caption title. Imprint on p. [66]: Edenton, Printed by Hodge & Wills, Printers to the State:

The session lasted to January 20, 1792.

The last two pages (not numbered) contain a list of "Grants" of the General Assembly, paid out of the treasury.

Weeks no. 90.

Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.

North Carolina. General Assembly. Senate.

[*Headband of type ornaments*] | Journal | of the | Senate. | [*Rule*] | North-Carolina. | At a General Assembly begun and held in the town

of Newbern, on the fifth day of | December, in the year of our Lord one thousand seven hundred and ninety-one, | and of the independence of the United States of America the sixteenth: Being the | first session of this Assembly. | [*Rule*] [Edenton: Hodge & Wills, 1792.] [169]

20 x 32.5 cm. 48 p.

Caption title; no imprint. The Journal of the House and the laws of this session were printed by Hodge & Wills, Edenton.

Weeks no. 89 (collates 41 p.).

Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Rule*] | At a General Assembly, begun and held at Newbern, on | the fifth day of December, in the Year of our Lord One Thousand | Seven Hundred and Ninety-One, and in the Sixteenth Year of the In-|dependence of the said State: Being the First Session of the said Assem-|bly. | [*Rule*] | [Edenton: Hodge & Wills, 1792.] [170]

20 x 32 cm. 32, [2] p.

Caption title. Imprint at end: Edenton: Printed by Hodge & Wills, Printers to the State.

Weeks no. 91.

Harvard Law School Library, Cambridge, Mass.; Supreme Court Library, Raleigh, N. C.; University of North Carolina, Chapel Hill, N. C. (imperfect); Henry E. Huntington Library, San Marino, Cal.; Association of the Bar, New York, N. Y.; Pennsylvania Historical Society, Philadelphia, Pa.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Double rule*] | At a General Assembly, begun and held at Newbern, | on the Fifth Day of December, in the year of our Lord One Thou-|sand Seven Hundred and Ninety-One, and in the Sixteenth Year of | the Independence of the said State: Being the First Session of the | said Assembly. | [*Double rule*] | [Edenton: Hodge & Wills, 1792.] [171]

20 x 32.5 cm. p. 713-732.

Caption title; no imprint. To a considerable extent, this is identical, line for line, with the separate issue of the laws of this session. But private acts are included herein by title only, so that beyond the first occurrence of a private act the type and page arrangement differ.

A supplement to the Iredell Revision of 1791 and in some copies bound and issued with and as a part of that volume. See the notes on that title, No. 162, above.

See Weeks no. 88, note.

Harvard Law School Library, Cambridge, Mass.; Woman's College of the University of North Carolina, Greensboro, N. C.; University of North Carolina, Chapel Hill, N. C. (3 copies); Library of Congress, Washington, D. C.; Massachusetts State Library, Boston, Mass.

North Carolina. Laws, Statutes, etc.

A | Collection | of the | Statutes | of the Parliament of | England | in force in the State of | North-Carolina. | [*Thick-thin rule*] | Published according to a resolve of the General Assembly | by Francois-Xavier Martin, Esq. | Counsellor at Law. | [*Thin-thick rule*] | Newbern: | From the Editor's Press. | [*Short rule*] | 1792. [172]

18.5 x 21 cm. xxvi, 424, [4] p.

Announced in the *State Gazette of North-Carolina* (Hodge & Wills, Edenton) of April 1, 1791, notice dated "Newbern, March 4, 1791," as "Now in the Press . . ." No issues of Martin's own *North-Carolina Gazette*, of Newbern, are extant for the early months of 1791, but a similar notice appeared in that paper in the issue of June 4. The publisher said: "It is well known to all those who possess any degree of information, with regard to the system of laws of this state, that these [English] statutes constitute the principal part of its poenal laws and no inconsiderable part of the rest of its code. As I make no doubt that many more copies, than those contracted for by the legislature, will be wanted, I have opened a subscription book, at my office only, to receive the names of such gentlemen as may be desirous of becoming subscribers to that work. It is offered to them on the terms on which I have contracted with the legislature, viz.: I. It will be printed in quarto volumes, on demy paper and neatly bound. II. The price will be fifteen shillings for every hundred pages: as no idea can yet be formed of the size and number of volumes. . . . As it is not my intention to raise a sum by this subscription, I shall not ask any advance money from any gentlemen particularly known to me, or who is a subscriber to my Gazette or my Justice, but to guard against imposition, ten shillings shall be demanded from all other persons. . . ."

The *Fayetteville Gazette* of October 9, 1792, carried an announcement that this work was "Just published, and for sale, at the Printing Office, Newbern."

Weeks no. 92. Sabin 44870.

Harvard Law School Library, Cambridge, Mass.; Supreme Court Library, Raleigh, N. C.; Sondley Library, Asheville, N. C.; Duke University Library, Durham, N. C.; Woman's College of the University of North Carolina, Greensboro, N. C.; University of North Carolina, Chapel Hill, N. C.; Henry E. Huntington Library, San Marino, Cal.; Library of Congress, Washington, D. C. (2 copies); Chicago Law Institute, Chicago, Ill.; American Antiquarian Society, Worcester, Mass.; New York Public Library, New York, N. Y.; Asso-

ciation of the Bar, New York City; Pennsylvania Historical Society, Philadelphia, Pa.; Bruce Cotten, Baltimore, Md.; Alexander B. Andrews, Raleigh, N. C.

UNITED STATES. COURTS: CIRCUIT COURT. DISTRICT OF NORTH CAROLINA.

[*Type ornament*] | Circuit Court of the United States. | North Carolina District. | [*Double rule*] | Hamiltons versus Eaton. | Declaration. | U. S. Southern Circuit, | No. Carolina District. | Circuit Court, | June Term, 1792. | [Newbern ? F. X. Martin ? 1792 ?] [173]

10.5 x 19.5 cm. 83, [6] p.
Caption title; no imprint.

New York Public Library, New York, N. Y.

1793

GREAT BRITAIN. COURT OF KING'S BENCH.

Cases | Determined in the | Court of King's Bench; | during the | I, II & III Years of Charles I. | Collected by | John Latch, of the Middle Temple, Esquire, | First published, in Norman-French, (1661,) by | Edward Walpoole, of Gray's Inn, Esquire. | [*Double rule*] | Translated into the English Language, | by Francois-Xavier Martin. | [*Double rule*] | Newbern: | From the Translator's Press. | [*Short rule*] | 1793. [174]

12 x 20 cm. 4 leaves, 275 (*i. e.*, 215), [21] p.
Pagination irregular, following the paging of the 1661 edition inset in the margin of the text.
Weeks 1896, p. 265-266, no. 98*a*.

Henry E. Huntington Library, San Marino, Cal.; Library of Congress, Washington, D. C.; Sondley Library, Asheville, N. C.; University of North Carolina, Chapel Hill, N. C.; Harvard Law School Library, Cambridge, Mass.; American Antiquarian Society, Worcester, Mass.; New York Public Library, New York, N. Y.; Association of the Bar, New York, N. Y.; John Carter Brown Library, Providence, Rhode Island; Bruce Cotten, Baltimore, Md.

MOORE, JOHN.

[The Christian Religion Tried by the Standard of Truth. Or an Enquiry into Some Points of Religion which seem to be much disputed in the present age, and cause much contention and disaffection among Christian Professors of different Societies. Wherein the doctrine of Predestination or God's Decree is considered and set in its proper light. Also God's free Grace and Man's free Will reconciled; and the inconsistencies and absurdities of the Antinomian and Universalist doc-

trine shewn. In a series of dialogues between Search-Truth and several others of different opinions. By John Moore, V.D.M. Halifax: Abraham Hodge, 1793.] [175]

Advertised in the *North-Carolina Journal*, Halifax, June 5, 1793, as "Just published, and for sale at the Printing-Office, price—One Quarter of a Dollar." Hodge became sole publisher of the *Journal* in February, 1793.

North Carolina. General Assembly. House of Commons.

[*Headband of type ornaments*] | Journal | of the | House of Commons. | [*Rule*] | State of North Carolina. | At a General Assembly, begun and held at Newbern, on the fifteenth Day of November, in | the Year of our Lord one thousand seven hundred and ninety-two, and of the Independ-|ence of the United States of America the sixteenth: It being the first Session of this Assem-|bly. | [*Rule*] | [Edenton: Hodge & Wills, 1793.] [176]

20 x 32.5 cm. 63 p.
Caption title. Imprint on p. 63: Edenton: Printed by Hodge & Wills, Printers to the State.
The session lasted to January 1, 1793.
Weeks no. 94.
Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.

North Carolina. General Assembly. Senate.

[*Headband of type ornaments*] | Journal | of the Senate. | [*Rule*] | State of North Carolina. | At a General Assembly, begun and held at Newbern, on the fifteenth Day of November, in | the Year of our Lord one thousand seven hundred and ninety-two, and of the Independ-|ence of the United States of America the seventeenth: It being the first Session of this As-|sembly. | [*Rule*] | [Edenton: Hodge & Wills, 1793.] [177]

20 x 32.5 cm. 52 p.
Caption title. Imprint on p. 52: Edenton: Printed by Hodge & Wills, Printers to the State.
Weeks no. 93.
Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.

North Carolina. Laws, Statutes, etc.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Rule*] | At a General Assembly, begun and held at Newbern, | on the Fifteenth Day of November, in the Year of our Lord One | Thousand Seven Hundred and Ninety-Two, and in the Seventeenth | Year of the Independ-

ence of the said State: Being the First Session of | the said Assembly. | [*Rule*] | [Halifax: Hodge & Wills, 1793.] [178]

21.5 x 35 cm. 42 p.

Caption title. Imprint at end: Halifax: Printed by Hodge & Wills, Printers to the State.

Weeks no 95. Sabin 55638 (not located nor collated).

Harvard Law School Library, Cambridge, Mass.; Supreme Court Library, Raleigh, N. C.; University of North Carolina, Chapel Hill, N. C.; Library of Congress, Washington, D. C.; New York Public Library, New York, N. Y.; Association of the Bar, New York, N. Y.; Pennsylvania Historical Society, Philadelphia, Pa.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Rule*] | At a General Assembly, begun and held at Newbern, | on the Fifteenth Day of November, in the Year of our Lord One | Thousand Seven Hundred and Ninety-Two, and in the Seventeenth | Year of the Independence of the said State: Being the First Session of | the said Assembly. | [*Rule*] | [Halifax: Hodge & Wills, 1793.] [179]

20 x 32.5 cm. 20 p.

Caption title; no imprint, but presumably printed at the same place and at about the same time as the separate 42-page issue of the laws of this session, with which this supplement shows typographic similarity. See note on No. 162, above.

A supplement to Iredell's Revision.

Harvard Law School Library, Cambridge, Mass.; University of North Carolina, Chapel Hill, N. C. (3 copies).

PROTESTANT EPISCOPAL CHURCH. NORTH CAROLINA.

[Address of the Tarborough Convention. Edenton ? Printed by Hodge & Wills ? 1793.] [180]

"Hypothetical title of a pastoral letter printed as a broadside and sent out to the churches of the state by the Protestant Episcopal convention then in session in Tarborough November 21, 1793. Probably printed by Hodge & Wills, Edenton." (Weeks 1896, p. 266—with no indication of his source.)

1794

BAPTISTS. NORTH CAROLINA. NEUSE BAPTIST ASSOCIATION.

Minutes of the Neuse Baptist Association. | Holden at Bear-Marsh Meeting-House, Duplin County, North-Carolina, October, 1794. [181]

20 x 27 cm. 4 p.

Caption title; no imprint. Duplin County is about equally distant from Wilmington and from New Bern as possible printing points.

Wake Forest College, Wake Forest, N. C.

Hodge's | North-Carolina | Almanack, | for the year of our Lord 1795; | being the third after Bissextile, or Leap Year, | and the 19—20th of American Independence. | Containing | the lunations, rising and setting of the sun | and moon, and seven stars, solar and lunar | eclipses, festivals, remarkable days, &c. | Also, | the militia law, the manual exercise, with | many other useful & entertaining articles. | [*Filet*] | Calculated for the State of North-Carolina, be-|ing adapted to 35 degrees 40 minutes North Latitude, | and 76 degrees 30 minutes longitude West of the | Meridian of London. | [*Double rule*] | By William Thomas, Ast. | [*Double rule*] | Halifax: | Printed and sold by Abraham Hodge. | [1794.] [182]

10.5 x 17.5 cm. [30] p. Title in double rule border.

Advertised in the *North-Carolina Journal* of Oct. 27, 1794, as "In the press, and speedily to be published," and in the issues of Nov. 3, 1794 and succeeding dates as "Just published." The advertisement goes on to say: "A. Hodge flatters himself the workmanship, &c, will be found much superior to any ever published in the state, and the calculations being particularly adapted to the latitude and longitude of this state, will he trusts, induce his fellow-citizens to give it a preference to any foreign one whatever. The price will be 5s. a dozen per thousand, 6s. a dozen per groce, 8s. per single dozen, and 1s. single. Paper currency—10s. to the dollar. They will be forwarded for sale to most of the postoffices and district towns in the state, and also will be had of the several post-riders."

American Antiquarian Society, Worcester, Mass.; Library of Congress, Washington, D. C.

North Carolina. General Assembly. House of Commons.

[Journal of the House of Commons of the General Assembly of North Carolina, December Session, 1793. Halifax: Hodge & Wills. 1794.] [183]

18.5 x 31 cm. 67 p.

Caption title. Imprint on p. 67: Halifax: Printed by Hodge & Wills.
The session lasted to January 11, 1794.
Weeks no. 97.

Supreme Court Library, Raleigh, N. C. (title page missing).

North Carolina. General Assembly. House of Commons.

[*Headband of type ornaments*] | Journal | of the | House of Commons. | [*Rule*] | State of North-Carolina. | In the House of Commons. | [*Rule*] | At a General Assembly, begun and held at Newbern, on Monday the seventh day of July, in the year of our Lord | one thousand seven hundred and ninety four, and of the Independence of the United

States of America the nine-|teenth: It being the second session of this Assembly. | [*Rule*] | [Newbern: Francois-Xavier Martin, 1794] [184]

22 x 27.5 cm. 11, [1] p.
Caption title. Imprint on p. [12]: Newbern: From the Press of Francois-Xavier Martin.
The session lasted to July 19, 1794.
Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.

NORTH CAROLINA. GENERAL ASSEMBLY. SENATE.

[Journal of the Senate of the General Assembly of North Carolina, December Session, 1793. Halifax: Hodge & Wills. 1794.] [185]

18.5 x 31 cm. 44 + p.
Caption title. Imprint on p. : Halifax: Printed by Hodge & Wills.
Weeks no. 96.
Supreme Court Library, Raleigh, N. C. (imperfect).

NORTH CAROLINA. GENERAL ASSEMBLY. SENATE.

[*Headband of type ornaments*] | Journal of the Senate. | [*Rule*] | State of North-Carolina. | At a General Assembly, begun and held at Newbern, on Monday the seventh day of July, in the year of our Lord | one thousand seven hundred and ninety four, and of the Independence of the United States of America the nine-|teenth: It being the second session of this Assembly, convened in consequence of a proclamation from his excellen-|cy the governor. | [*Rule*] | [Newbern: Francois-Xavier Martin, 1794.] [186]

22 x 27.5 cm. 10 p.
Caption title. Imprint on p. 10: Newbern: From the Press of Francois Xavier Martin.
Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Rule*] | At a General Assembly, begun and held at Fayetteville, on the | Second Day of December, in the Year of our Lord One Thousand Seven | Hundred and Ninety-Three, and in the Eighteenth Year of the Independence | of the said State: Being the First Session of the said Assembly. | [*Rule*] | [Edenton: Hodge & Wills, 1794.] [187]

21 x 33.5 cm. 34, [1] p.
Caption title. Imprint at end: Edenton: Printed by Hodge & Wills, Printers to the State.
Weeks no. 98.
Harvard Law School Library, Cambridge, Mass.; Supreme Court Library, Raleigh, N. C. (imperfect); University of North Carolina,

Chapel Hill, N. C. (imperfect); Library of Congress, Washington, D. C.; Massachusetts State Library, Boston, Mass.; New York Public Library, New York, N. Y.; Association of the Bar, New York, N. Y.; Pennsylvania Historical Society, Philadelphia, Pa.

North Carolina. Laws, Statutes, etc.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Rule*] | At a General Assembly, begun and held at Fayetteville, on the | Second Day of December, in the Year of our Lord One Thousand Seven | Hundred and Ninety-Three, and in the Eighteenth Year of the Independence | of the said State: Being the First Session of the said Assembly. | [*Rule*] | [Edenton: Hodge & Wills, 1794.] [188]

20 x 32.5 cm. 23 p.
Caption title; no imprint.
A supplement to Iredell's Revision.
Harvard Law School Library, Cambridge, Mass.

North Carolina. Laws, Statutes, etc.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Rule*] | At a General Assembly, begun and held at Newbern, on the | seventh day of July, in the Year of our Lord One Thousand Seven | Hundred and Ninety-Four, and in the Nineteenth Year of the Inde-|pendence of the said State: Being the Second Session of the said As-|sembly. | [*Rule*] | [Newbern: Francois-Xavier Martin, 1794.] [189]

21 x 33.5 cm. 9, [1] p.
Caption title. Imprint at end: Newbern: From the Press of Francois X. Martin.
Weeks 1896, p. 266, no. 101*a*.
Harvard Law School Library, Cambridge, Mass.; Henry E. Huntington Library, San Marino, Cal.; Library of Congress, Washington, D. C.; Massachusetts State Library, Boston, Mass.; New York Public Library, New York, N. Y.; Association of the Bar, New York, N. Y.; Pennsylvania Historical Society, Philadelphia, Pa.

North Carolina. Laws, Statutes, etc.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Rule*] | At a General Assembly, begun and held at Newbern, on the seventh day of | July, in the year of our Lord one thousand seven hundred and ninety-four, and in | the nineteenth year of the Independence of the said State: Being the second Ses-|sion of the said Assembly. | [*Rule*] [190]

20 x 32.5 cm. 8 p.
Caption title; no imprint.
A supplement to Iredell's Revision.
Harvard Law School Library, Cambridge, Mass.

NORTH CAROLINA. LAWS, STATUTES, ETC.

A | Collection | of the | Private Acts | of the | General Assembly | of the | State of North-Carolina, | from the year 1715, to the year 1790, inclusive, | now in force and use. | [*Type ornament*] | Newbern: | Francois-Xavier Martin. | [*Short rule*] | 1794. [191]

20.5 x 26 cm. [vi], 249, [5] p., 1 blank leaf.

Weeks no. 99.

Harvard Law School Library, Cambridge, Mass.; Supreme Court Library, Raleigh, N. C.; Sondley Library, Asheville, N. C.; University of North Carolina, Chapel Hill, N. C.; Henry E. Huntington Library, San Marino, Cal.; Library of Congress, Washington, D. C.; Chicago Law Institute, Chicago, Ill.; New York Public Library, New York, N. Y.; Association of the Bar, New York, N. Y.; Cincinnati Law Library Association, Cincinnati, Ohio; John Carter Brown Library, Providence, Rhode Island; Bruce Cotten, Baltimore, Md.

UNITED STATES. INSPECTOR-GENERAL'S OFFICE.

Regulations | for the | Order and Discipline | of the | Troops | of the | United States. | To which is added: | Rules and Articles for the better Govern-|ment of the Troops, raised, or to be raised, and | kept in pay, by and at the Expense of the United | States of America. | [*Double rule*] | [Edenton?] Printed and published agreeable to an Act of Assembly | of the State of North-Carolina, | By Hodge & Wills, Printers to the State, | 1794. [192]

9.5 x 16.5 cm. [4], 73, [5], 62 p., viii pl.

As "printers to the state" Hodge & Wills used either the office of Hodge at Halifax or that of Wills at Edenton. A late advertisement in the *State Gazette of North-Carolina*, Edenton, April 30, 1795 ("Just published, and for sale, at the Printing-Office, Price Three Quarters of a dollar . . .") makes the latter point seems likely as the place where this was printed.

Weeks nos. 100, 101 (not located).

University of North Carolina, Chapel Hill, N. C.; Library of Congress, Washington, D. C.; Bruce Cotten, Baltimore, Md.

1795

BAPTISTS. NORTH CAROLINA. NEUSE BAPTIST ASSOCIATION.

[Minutes of the Neuse Baptist Association. Held at Little-Contentney, Glasgow County, October, 1795. Newbern: Printed by F. X. Martin, 1795.] [193]

Advertised in the *North-Carolina Gazette* of January 2, 1796, as "Just published and for sale at the Printing Office." It was undoubtedly printed in 1795.

Hall, James, Jr.

A | Sermon, | Preached at Suga-Creek, | on | Thursday, February 21, 1792; | At the Ordination of Mr. Samuel Caldwell, as | Pastor of Suga-Creek and Hopewell Churches; | together with the Charge to the Minister, and | the Exhortation to the People. | [*Filet*] | By James Hall, Jun. A.M. | [*Double rule*] [*3 lines, quotation*] | [*Double rule*] | Halifax: | Printed by Abraham Hodge, | M,DCC,XCV. [194]

12 x 19.5 cm. 43 p.

Presbyterian Historical Society, Philadelphia, Pa.; Charlotte Public Library, Charlotte, N. C.

Hodge's | North-Carolina | Almanack, | For the Year of our Lord 1796; | Being Bissextile, or Leap-Year, | And the 20th—21st of American Independence. | Containing | The Lunations, Rising and Setting of the Sun, | Moon and Seven Stars, Solar and Lunar | Eclipses, Remarkable Days, | Festivals, &c. &c. | Also, | A variety of useful and amusing Articles. | [*Filet*] | Calculated for the State of North-Carolina, being | adapted to 35 degrees 40 minutes North Latitude, and | to the Meridian of the central Parts of the State. | [*Filet*] | By William Thomas, Ast. | [*Rule*] | Halifax: | Printed and Sold by Abraham Hodge | [1795.] [195]

10.2 x 16 cm. [48] p.

Advertised in the *North-Carolina Journal*, Halifax, August 17, 1795, as "Just published and to be sold at this office."

Weeks 1896, p. 266, no 109*a* (not located).

Henry E. Huntington Library, San Marino, Cal.; Library of Congress, Washington, D. C.; University of North Carolina, Chapel Hill, N. C.; American Antiquarian Society, Worcester, Mass.

McCorkle, Samuel Eusebius.

A | Charity Sermon. | [*Filet*] | First delivered in | Salisbury, July 28; | And afterwards in other Places in Rowan, and the | counties adjoining; | Particularly at Sugar's Creek, in Mecklenburg | County, at the Opening of the Synod of the | Carolinas, October 2: | And last, at the Meeting of the Hon. the General | Assembly of North-Carolina in Fayette-|ville, December, 1793. | [*Filet*] | By the Rev. Samuel E. M'Corkle, D.D. | Pastor of the Church at Thyatira and | Salisbury in Rowan County, | North Carolina. | [*Filet*] | Halifax: | Printed by Abraham Hodge. | [*Short thick-thin rule*] | M,DCC,XCV. [196]

10.5 x 17 cm. 64 p.

Advertised in the *North-Carolina Journal*, Halifax, March 23, 1795, and for several months thereafter, as "Just published, and for sale by the printer hereof, (Price one-quarter of a dollar) . . . ."

Bruce Cotten, Baltimore, Md.; University of North Carolina, Chapel Hill, N. C.; Princeton Theological Seminary, Princeton, N. J.

McCORKLE, SAMUEL EUSEBIUS.

A | Sermon, | on the | Comparative Happiness and Duty | of the | United States of America, | Contrasted with other Nations, particularly the | Israelites. | Delivered in Salisbury, on Wednesday, Fe-|bruary 18th; and at Thyatira, on Thurs-|day, February 19th, 1795: Being the Day of | General Thanksgiving and Prayer, appoint-|ed by the President of the United States. | Published by the Request of the Hearers. | By the Rev. Samuel E. McCorkle, D.D. | Pastor of the Church at Thyatira and Salisbury, in | Rowan County, North-Carolina. | Halifax: | Printed by Abraham Hodge. | M,DCC,XCV. [197]

10.5 x 17 cm. 43 p.

Proposals for printing by subscription, dated Halifax, June 6, appeared in the *North-Carolina Gazette*, Newbern, June 20, 1795. Advertised in the *North-Carolina Journal*, Halifax, August 3, 1795, as "Just published and for sale by A. Hodge, Price a quarter of a dollar . . . "

Weeks no. 109 (from Sabin 43096).

Library of the Boston Athenaeum, Boston, Mass.; Library of Congress, Washington, D. C.,; Presbyterian Historical Society, Philadelphia, Pa.

MOORE, JOHN.

[The Doctrine of Predestination, or what is commonly called Calvinism, fairly stated. Wherein many of the most popular arguments and objections used in defence of it, are considered and answered; and the contraditions and absurdities of them shewn. By John Moore, V.D.M. Halifax: Abraham Hodge, 1795.] [198]

Advertised in the *North-Carolina Journal* of Aug. 3, 1795, as "also just published and for sale as above [by A. Hodge], price a quarter of a dollar."

NORTH CAROLINA. GENERAL ASSEMBLY. HOUSE OF COMMONS.

[*Type ornament*] | Journal | of the | House of Commons. | [*Rule*] | State of North-Carolina. | At a General Assembly, begun and held in the City of Raleigh, on the Thirtieth Day of | December, in the Year of our Lord one thousand seven hundred and ninety-four, and of | American Independence the nineteenth: Being the first Session of this Assembly. | [*Rule*] | [Edenton: Hodge & Wills, 1795.] [199]

20 x 32.5 cm. 60 p.

Caption title. Imprint on p. 60. Edenton: Printed by Hodge & Wills, Printers to the State.

The session lasted to February 7, 1795.

Weeks no. 103.

Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.

North Carolina. General Assembly. Senate.

[*Type decoration*] | Journal | of the | Senate. | [*Rule*] | State of North-Carolina. | At a General Assembly, begun and held in the City of Raleigh, on the Thirtieth Day of | December, in the Year of our Lord one thousand seven hundred and ninety-four, and of | American Independence the nineteenth: Being the first Session of this Assembly. | [*Rule*] | [Edenton: Hodge & Wills, 1795.] [200]

20 x 32.5 cm. [1] 48 p.
Caption title. Imprint on p. 48: Edenton: Printed by Hodge & Wills, Printers to the State.
Weeks no. 102.
Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.

North Carolina. Laws, Statutes, etc.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Double rule*] | At a General Assembly, begun and held at the City of | Raleigh, on the thirtieth Day of December, in the Year of our | Lord One thousand seven hundred and ninety-four, and in the Nine-|teenth Year of the Independence of the said State: Being the First | Session of the said Assembly. | [*Double rule*] | [Halifax: Hodge & Wills, 1795.] [201]

21 x 33.5 cm. 39, [1] p.
Caption title. Imprint at end: Halifax: Printed by Hodge & Wills.
Weeks no. 104.
Harvard Law School Library, Cambridge, Mass.; Supreme Court Library, Raleigh, N. C.; University of North Carolina, Chapel Hill, N. C.; Henry E. Huntington Library, San Marino, Cal.; Library of Congress, Washington, D. C.; Massachusetts State Library, Boston, Mass.; Association of the Bar, New York, N. Y.; Pennsylvania Historical Society, Philadelphia, Pa.

North Carolina. Laws, Statutes, etc.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Thick-thin rule*] | At a General Assembly, begun and held at the City of | Raleigh, on the thirtieth Day of December, in the Year of our | Lord One Thousand seven hundred and ninety-four, and in the Nine-|teenth Year of the Independence of the said State: Being the First | Session of the said Assembly. | [*Thin-thick rule*] | [Halifax: Hodge & Wills, 1795.] [202]

20 x 32.5 cm. 20 p.
Caption title; no imprint.
A supplement to Iredell's Revision.
Harvard Law School Library, Cambridge, Mass.

NORTH CAROLINA. LAWS, STATUTES, ETC.

An Act to authorize the Secretary to issue Grants for Military Lands, in the manner therein described; and to direct the Secretary | and Comptroller to issue warrants in certain cases therein mentioned. | [Halifax ? Hodge & Wills ? 1795 ?] [203]

24.5 x 41.5 cm. Broadside.

No imprint and no date; issued about 1795 according to Duke University Library.

Duke University Library, Durham, N. C.

NORTH CAROLINA. LAWS, STATUTES, ETC.

The | Acts | of the | General Assembly | of the | State of North-Carolina, | Passed during the Sessions Held in the Years 1791, 1792, 1793, and 1794. | [*Ornamental design*] | Newbern: | Francois X. Martin. | [*Rule*] | 1795. [204]

20 x 25 cm. [4], 181, [9] p.

Advertised in the *North-Carolina Gazette*, Newbern, July 4, 1795: "This day is published and for sale at the Printing Office hereof . . ." Weeks no. 108 (from Sabin 55583).

Library of Congress, Washington, D. C.; Sondley Library, Asheville, N. C.; Duke University Library, Durham, N. C.; University of North Carolina, Chapel Hill, N. C.; Wilmington Public Library, Wilmington, N. C.; American Antiquarian Society, Worcester, Mass.; Bruce Cotten, Baltimore, Md.

[PRICE, JONATHAN]

[A Description of Occacock Inlet, and of its coast, islands, shoals, and anchorages, with the courses and distances, to and from the most remarkable places, and directions to sail over the bar and through the channels. Newbern: Francois-Xavier Martin, 1795.] [205]

Advertised in the *North-Carolina Gazette* of December 26, 1795, quoting the copyright entry dated December 12, 1795. Also in the same paper, February 27, 1796, and succeeding issues: "A few copies . . . may be had at the Printing-Office, and of Mr. William Johnston, price 50 cents."

"Occacock" probably refers to Ocrakoke Inlet, an entrance from the ocean to Pamlico Sound and thence by the Neuse River to Newbern.

1796

Hodge's | North-Carolina | Almanack, | For the Year of our Lord 1797; | Being the first after Bissextile or Leap-Year, | And the 21st-22d of American Independence. | Containing | The Lunations, Rising and Setting of the Sun, | Moon and Seven Stars, Solar and Lunar | Eclipses, Remarkable Days, | Festivals, &c. &c. | Also, | A variety of useful and

amusing articles. | [*Filet*] | Calculated for the State of North-Carolina, being | precisely adapted to the Meridian and Latitude of the | City of Raleigh, but will serve without sensible | error for any of the states adjacent. | [*Rule*] | By William Thomas, Ast. | [*Rule*] | Halifax: | Printed and Sold by Abraham Hodge. | [1796.] [206]

10 x 17.5 cm. 48 p.
Advertised in the *North-Carolina Journal*, Halifax, October 3, 1796: "This day is published . . ."
Library of Congress, Washington, D. C.; American Antiquarian Society, Worcester, Mass.; Bruce Cotten, Baltimore, Md.

[? Martin, Francois-Xavier]

[A Chart of the Law of Inheritance, of the State of North-Carolina, Exhibiting an Historical View of it, as it stood at the First Settlement of the Country, the changes it has undergone, and its Present State. Newbern: F. X. Martin, 1796.] [207]

Title from Evans 30742 (not located).
Advertised in the *North-Carolina Gazette* of July 9, 1796, as "Just Printed, and for sale at the Printing-Office, (Newbern) . . . (Price 5s)"

[? Martin, Francois-Xavier]

[A Treatise on the Jurisdiction of Justices of the Peace, in Civil Suits according to the Laws of the State of North Carolina. Newbern: F. X. Martin, 1796.] [208]

Advertised in the *North-Carolina Gazette* of May 28, 1796: "This day is published and for sale at the Printing-Office, (Newbern) . . ."
It seems quite probable that this treatise was written as well as published by the well-known lawyer-printer of Newbern.
Weeks no. 113 (not located nor collated).

North Carolina. Courts.

[A Report of a Case lately decided in Fayetteville Superior Court of Law, wherein the following questions are discussed and settled: viz. I. Whether, in the case of a sealed instrument, unattested by any subscribing witness, the handwriting of the party may be admitted in evidence? II. Whether an action of Debt lies upon such an instrument? Newbern: Francois X. Martin, 1796.] [209]

Advertised in the *North-Carolina Gazette* of Apr. 6, 1796, as "Just published, and for sale at the Printing-Office, (Newbern)." Also advertised in the *State Gazette of North-Carolina* of May 19, 1796.

NORTH CAROLINA. SUPERIOR COURTS.

[A Few Cases, determined in the Superior Courts of North-Carolina. Newbern: Francois-Xavier Martin, 1796.] [210]

Advertised in the *North-Carolina Gazette*, Newbern, October 1, 1796: "This day is published, and for sale at the Printing-Office, (Newbern;) price 50 cents. . . . These cases, twenty-six in number, have been copied from the notes of the most respectable law characters in this state."

Possibly the basis of the *Notes of a Few Decisions* published by Martin at Newbern in 1797; see No. 221, below.

NORTH CAROLINA. GENERAL ASSEMBLY. HOUSE OF COMMONS.

[Journal of the House of Commons of the General Assembly of North Carolina, November-December Session, 1795. Halifax: Hodge & Wills. 1796 ?] [211]

18.5 x 31.5 cm. 57 p.

Caption title; no imprint, but undoubtedly printed at Halifax by Hodge & Wills, Printers to the State, who printed the laws of this session.

The session ended December 9, 1795. The journals of the session, and also the laws (no. 213, below), may possibly have been printed before the end of that year.

Weeks no. 106.

Supreme Court Library, Raleigh, N. C. (title page missing).

NORTH CAROLINA. GENERAL ASSEMBLY. SENATE.

[Journal of the Senate of the General Assembly of North Carolina, November-December Session, 1795. Halifax: Hodge & Wills, 1796 ?] [212]

x cm. 46 p.

Caption title; no imprint. See note on preceding title.

Weeks no. 105.

Supreme Court Library, Raleigh, N. C.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Rule*] | At a General Assembly, begun and held at the City of Ra-|leigh, on the Second Day of November, in the Year of our Lord | one thousand seven hundred and ninety-five, and in the twentieth Year | of American Independence: Being the first Session of the said Assembly. | [*Rule*] [Edenton: Hodge & Wills, 1796.] [213]

21 x 33.5 cm. 31, [1] p.

Caption title. Imprint at end: Edenton: Printed by Hodge & Wills, Printers to the State.

Weeks no. 107.

Harvard Law School Library, Cambridge, Mass.; Supreme Court Library, Raleigh, N. C.; University of North Carolina, Chapel Hill, N. C.; Library of Congress, Washington, D. C.; Massachusetts State Library, Boston, Mass.; Association of the Bar, New York, N. Y.; Pennsylvania Historical Society, Philadelphia, Pa.

North Carolina. Laws, Statutes, etc.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Rule*] | At a General Assembly, begun and held at the City of Raleigh, on the Second Day of November, in the Year of our Lord | one thousand seven hundred and ninety-five, and in the twentieth Year | of American Independence: Being the first Session of the said Assembly. | [*Rule*] | [Edenton: Hodge & Wills, 1796.] [214]

20 x 32.5 cm. 20 p.
Caption title; no imprint.
A supplement to Iredell's Revision.
Harvard Law School Library, Cambridge, Mass.; University of North Carolina, Chapel Hill, N. C.

[The North-Carolina Almanack, for the year of our Lord, 1797; and of American Independence,—xxi-xxii, being the 1st after Leap Year. Calculated for the Meridian of Raleigh, 35 deg. 54 min. North Lat. 3 Deg. 36 Min. Longitude, West from Philadelphia. Newbern: Francis X. Martin, 1796.] [215]

Advertised in the *North-Carolina Gazette*, Newbern, September 10, 1796: "This day is published, and for sale at the printing-office, . . . Price one shilling. Stores will be supplied at the rate of six shillings per dozen, thirty two shillings and six-pence, per half-gross, and three pounds per gross. . . ."

Pattillo, Henry.

A Geographical | Catechism, | To assist those who have neither Maps nor Gazetteers, | to read | newspapers, history, or travels; | With as much of | The Science of Astronomy, and the Doctrine of the Air, | As is judged sufficient for the Farmer, who wishes | to understand something of | The Works of God around him; | And for the studious Youth, who have or have not a prospect of further | prosecuting those Sublime Sciences. | [*Rule*] | By Henry Pattillo, A.M. Granville. | [*Rule*] | [*6 lines, quotations*] | [*Filet*] | Halifax: Printed by Abraham Hodge. | M,DCC,XCVI. [216]

12 x 21.5 cm. 62 p.
Advertised in the *North-Carolina Journal*, Halifax, September 6, 1796, as "Just published and for sale at the printing office . . ."
Evans 30963. Weeks no. 114.
Duke University Library, Durham, N. C.; University of North Carolina, Chapel Hill, N. C. (imperfect).

[A Table for Receiving and Paying Gold at the present standard, according to the act of Congress regulating foreign coins. Passed the 9th of February, 1793. Calculated for the use of the Bank of the United States. Newbern: F. X. Martin, 1796.] [217]

Advertised in the *North-Carolina Gazette* of May 14, 1796, as "Just Published, and for sale at the Printing-Office."

UNITED STATES. INSPECTOR-GENERAL'S OFFICE.

[Regulations for the Order and Discipline of the Troops of the United States. . . . Edenton: Printed by Henry Wills, 1796.] [218]

Title from Sabin 91442 (based on Evans). Not located.

1797

Hodge's | North-Carolina | Almanack, | for the Year of our Lord 1798; | Being the second after Bissextile or Leap-Year, | and the 22d-23d of American Independence. | Containing | The Lunations, rising and setting of the Sun, | Moon and Seven Stars, Solar and Lunar | Eclipses, Remarkable Days | Festivals, &c. &c. | Also, | a variety of useful and amusing articles. | [*Filet*] | Calculated for the State of North-Carolina, being precisely adapted to the Meridian and Latitude of the | City of Raleigh, but will serve without sensible | error for any of the states adjacent. | [*Rule*] | By William Thomas, Ast. | [*Rule*] | Halifax: | Printed and Sold by Abraham Hodge. | [1797.] [219]

10 x 17.5 cm. 48 p.

Advertised in the *North-Carolina Minerva and Fayetteville Advertiser* of November 4, 1797, as "Just published and for sale at the Printing-Offices at Fayetteville and Halifax . . . "

Library of Congress, Washington, D. C.; American Antiquarian Society, Worcester, Mass.; Bruce Cotten, Baltimore, Md.

MCCORKLE, SAMUEL EUSEBIUS.

Four | Discourses | on | The general first principles of Deism | and Revelation contrasted; delivered in | Salisbury and Thyatira, on different days | in April and May, 1797. | [*Rule*] | By the Revd. Samuel E. M'Corkle, D.D. | Pastor of the Church at Thyatira near | Salisbury, Rowan County, | North Carolina. | [*Rule*] | Discourse I | [*Rule*] | Salisbury: | Printed by Francis Coupee, | 1797. [220]

9.5 x 17 cm. 56 p.

Discourse II was printed in 1798; see no. 238, below.

University of North Carolina, Chapel Hill, N. C.; Bruce Cotten, Baltimore, Md. (lacking title page).

[Martin, Francois-Xavier]

Notes | of a few | Decisions | in the | Superior Courts | of the | State of North-Carolina, | and in the | Circuit Court of the U. States, | for | North-Carolina District. | [*Type ornament*] | Newbern: | Francois-Xavier Martin. | [*Short rule*] | 1797. [221]

11 x 20 cm. [8], 78, 83, [8] p.

Weeks no. 115 (from Sabin 44873).

Harvard Law School Library, Cambridge, Mass.; Sondley Library, Asheville, N. C.; Massachusetts State Library, Boston, Mass.; Bruce Cotten, Baltimore, Md.

[Martin, Francois-Xavier]

Notes | of a few | Decisions | in the | Superior Courts | of the | State of North-Carolina, | and in the | Circuit Court of the U. States, | for | North-Carolina District. | [*Line of type ornaments*] | To which is added | a Translation of Latch's Cases. | [*Line of type ornaments*] | Newbern: | Francois-Xavier Martin. | 1797. [222]

13 x 21.5 cm. [8], 78, 83, [12], 275 [*i.e.*, 215], [20] p.

Same as the preceding, but with the title page modified to cover the inclusion of the Latch's cases originally issued in 1793. The Latch's cases are also found in copies with the shorter form of the title.
Weeks no. 115. Sabin 44873.

Sondley Library, Asheville, N. C.; University of North Carolina, Chapel Hill, N. C.; New York Public Library, New York, N. Y.

North Carolina. General Assembly. House of Commons.

[*Headband of type ornaments*] | Journal | of the | House of Commons. | [*Rule*] | State of North-Carolina. | At a General Assembly, begun and held at the City of Raleigh, on Monday, the Twen-|ty-First Day of November, in the Year of our Lord One Thousand Seven Hundred and | Ninety-Six, and of the Independence of the United States of America the Twenty-First: | Being the First Session of this Assembly. | [*Rule*] | [Edenton: Hodge & Wills, 1797.] [223]

20 x 32.5 cm. 54 p.

Caption title. Imprint on p. 54: Edenton: Printed by Hodge & Wills, Printers to the State.
The session lasted to December 24, 1796.
Weeks no. 111.

Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.

NORTH CAROLINA. GENERAL ASSEMBLY. SENATE.

[*Headband of type ornaments*] | Journal | of the | Senate. | [*Rule*] | State of North-Carolina. | At a General Assembly, begun and held in the City of Raleigh, on the Twenty-First | Day of November, in the Year of our Lord One Thousand Seven Hundred and Ninety-|Six, and of American Independence the Twenty-First: It being the First Session of | this Assembly. | [*Rule*] | [Edenton: Hodge & Wills, 1797.] [224]

20 x 32.5 cm. 47 p.

Caption title. Imprint on p. 47: Edenton: Printed by Hodge & Wills, Printers to the State.

Weeks no. 110.

Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Row of type ornaments*] | At a General Assembly, begun and held at the city of Raleigh on | the twenty-first Day of November, in the Year of our Lord One thousand seven | hundred and ninety-six, and in the Twenty-first Year of the Independence of the | said State: being the first Session of the said Assembly. | [*Row of type ornaments*] | [Halifax: Printed by Hodge & Wills, Printers to the State.] | [1797.] [225]

21.5 x 36.5 cm. 68 p.

Caption title. Imprint as above (undated) on p. 68. Pages 26, 27, 62, and 63 misnumbered 22, 23, 61, and 62.

In the Appendix, p. 57, is a resolution of the General Assembly directing the public printer "to print the Militia Law, passed at Newbern, . . . 1794, and bind it up with the laws of this present session of the General Assembly." The text of the militia law occupies p. 57-60 in this volume. On p. 61 is the text of a law concerning divorce and alimony, preceded by a resolution dated December 24, 1796, ordering it to be printed.

Weeks no. 112.

Henry E. Huntington Library, San Marino, Cal.; Library of Congress, Washington, D. C.; Massachusetts State Library, Boston, Mass.; Harvard Law School Library, Cambridge, Mass.; Association of the Bar, New York, N. Y.; Pennsylvania Historical Society, Philadelphia, Pa.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Line of typographic ornaments*] | At a General Assembly, begun and held at the city of Raleigh, on | the Twenty-first Day of November, in the Year of our Lord One thousand seven | hundred and ninety-six, and in the Twenty-

first Year of the Independence of the | said State: Being the first Session of the said Assembly. | [*Line of typographic ornaments*] | [Halifax: Hodge & Wills, 1797.] [226]

20 x 32.5 cm. 45 p.
Caption title; no imprint.
A supplement to Iredell's Revision.
Harvard Law School Library, Cambridge, Mass.; University of North Carolina, Chapel Hill, N. C. (3 copies).

United States. Courts: Circuit Court. District of North Carolina.

Hamiltons versus Eaton: | [*Thin-thick rule*] | A | Case | respecting British debts, | lately determined in the | Circuit Court of the United States, | For North-Carolina District, | Presided by C. J. Ellsworth. | [*Filet*] | Newbern: | Francois-Xavier Martin. | [*Broken rule*] | 1797. [227]

11.5 x 19.5 cm. Title page and 77 p.

Printed from the same types, without resetting, as were used in the *Notes of a Few Decisions* (No. 221, above), with a title page added, the sheet mark "I" being omitted at the foot of p. 77 and the verso of that page being left blank.

Advertised in the *North-Carolina Gazette*, Newbern, February 4, 1797: "On Monday next, will be published and for sale at this office . . . " The issue of February 25 carried the notice: "This day is published and for sale at this office . . . "

Sabin 30048. Weeks 1896, p. 266, no. 115*a* (not located).

Library of Congress, Washington, D. C.; New York Public Library, New York, N. Y. (lacking p. 25-32).

Watson, Richard.

An | Apology | for the Bible, | in a | Series of Letters, | Addressed to | Thomas Paine, | Author of a Book, entitled, | The Age of Reason, Part the Second, Being an Investiga-|tion of True and of Fabulous Theology. | By R. Watson, D.D. F.R.S. | Lord Bishop of Landaff [*sic*], and Regius Professor | of Divinity in the University of Cambridge. | Newbern: | Printed by Francois-X. Martin, | for Joseph Shute and Durant Hatch, | 1797. | [Price 50 cents.] [228]

14 x 22 cm. 77 p.
University of North Carolina, Chapel Hill, N. C.

1798

ARCHIBALD, ROBERT.

[The Universal Preacher; being an Enquiry into the state of the Moral World. No. 1. By Robert Archibald, V.D.M. & A.M. Halifax: Abraham Hodge, 1798.] [229]

Advertised in the *North Carolina Journal* of January 29, 1798: "In the press, and speedily will be published and offered for sale in the towns of Newbern, Fayetteville, Raleigh, Hillsborough, Salisbury, Morganton, Warrenton, Williamsborough, &c. also at Guildford, Mecklenburg and Iredell court-houses."

A | Concise | System | of | Farriery. | [*Double rule*] | [*Type ornament*] | [*Double rule*] | Newbern: | J. C. Osborn & Co. | [*Short rule*] | 1798. [230]

9.5 x 17.5 cm. Title page, verso blank; [2] p. contents; 186 p.

Advertisement dated September 1, 1798, in Osborn's *Newbern Gazette* of November 24, 1798 (no earlier issues located): "This day published and for sale at the Printing-Office . . . "

American Antiquarian Society, Worcester, Mass.

FREEMASONS. NORTH CAROLINA. GRAND LODGE.

Halifax, (N. C.) January 20 A.L. 5798—A.D. 1798. | The Most Worshipful the Grand Lodge of [New York *in MS*] | Right Worshipful and Most Respected Brethren, | By order of our Grand Lodge, it becomes my duty to transmit to you a copy of | the Constitution of our Grand Lodge, and an abstract from the proceedings of our last | grand annual communication, holden in the City of Raleigh. | . . . | [Halifax ? 1798.] [231]

19.5 x 32 cm. 4-page folder printed on first page only.

Signed in MS: Robt. Williams, Grand Sec. Addressed on fourth page: Secretary of the Grand Lodge of New York.

No imprint, but probably printed by Abraham Hodge at Halifax.

Masonic Grand Lodge Library, New York, N. Y.

FREEMASONS. NORTH CAROLINA. GRAND LODGE.

The | Constitution | of the | Grand Lodge | of | North-Carolina. | [*Double rule*] | Halifax: | Printed by Brother A. Hodge, | [*Short rule*] | 1798. [232]

11 x 18 cm. 12 p.

Masonic Grand Lodge Library, New York, N. Y.; Masonic Grand Lodge Library, Philadelphia, Pa.

Freemasons. North Carolina. Grand Lodge.

[*2 rows of type ornaments*] | An | Abstract | from the | Proceedings | of the | Grand Lodge | of | North-Carolina. | [Halifax: Printed by Brother A. Hodge, M.DCC.XCVIII.] [233]

13 x 20.5 cm. 16 p.

Caption title. Imprint, as above, at bottom of p. 16.

"Agreeably to a notice of the Most Worshipful Grand Master, the Grand Lodge convened in the City of Raleigh, on Thursday, the 30th of November, A. L. 5797, A.D. 1797."

Iowa Masonic Library, Cedar Rapids, Iowa; Masonic Grand Lodge Library, New York, N. Y.; Library of the Supreme Council, 33d Degree, Washington, D. C.; Masonic Grand Lodge Library, Philadelphia, Pa.

Freemasons. North Carolina. Grand Lodge.

[*Row of type ornaments*] | An | Abstract of the Proceedings | of the | Grand Lodge | of | North-Carolina, | In the Year A.L. 5798. A.D. 1798. | [Halifax: Printed by Brother A. Hodge.] | [1798.] [234]

12.5 x 20 cm. 24 p.

Caption title. Imprint as above (without date) on p. 24.

Masonic Grand Lodge Library, New York, N. Y.; Masonic Grand Lodge Library, Philadelphia, Pa.

Hodge's | North-Carolina | Almanack, | For the Year of our Lord 1799; | Being the Third after Bissextile or Leap-Year, | And the 23d-24th of American Independence. | Containing | The Lunations, Rising and Setting of the Sun, | Moon and Seven Stars, Solar and Lunar | Eclipses, Remarkable Days, | Festivals, &c., &c. | Also, | A variety of useful and amusing Articles. | [*Filet*] | Calculated for the State of North-Carolina, being | precisely adapted to the Meridian and Latitude of the | City of Raleigh, but will serve without sensible | error for any of the states adjacent. | [*Rule*] | By William Thomas, Ast. | [*Rule*] | Halifax: | Printed and Sold by Abraham Hodge. | [1798.] [235]

11 x 18 cm. 48 p.

Advertised in the *North-Carolina Minerva and Fayetteville Advertiser* (Hodge & Boylan) of November 3, 1798, as "Just published and for sale at the Printing-Offices at Fayetteville and Halifax, . . . Price—Forty dollars per thousand, or four cents each; twenty-five dollars per five hundred, or five cents each; five and a half dollars per hundred, or five and a half cents each; three dollars per fifty, or six cents each; and seventy-five cents per dozen."

American Antiquarian Society, Worcester, Mass.; Bruce Cotten, Baltimore, Md.

JOHNSON, THOMAS.

Every Man his own | Doctor; | or the | Poor Man's Family Physician. | Prescribing | Plain, safe, and easy means to cure them-|selves, of the most disorders incident to this | climate; with very little charge, the medicines | being the growth of this country, and about | almost every man's Plantation. | [*Rule*] | By Thomas Johnson. | [*Rule*] | Salisbury: | Printed for the Author, 1798. [236]

8.5 x 17 cm. v, 50 p.
Bruce Cotten, Baltimore, Md.

MCCORKLE, SAMUEL EUSEBIUS.

A | Discourse, | on | The Doctrine and Duty | of keeping the | Sabbath, | [*Filet*] | By Samuel E. McCorkle, D.D. | Pastor of the Church of Thyatira near | Salisbury, Rowan County, | North-Carolina. | [*Thick-thin rule*] | Salisbury: | Printed by John M. Slump, at | Michael Brown's English and German | Printing-Office. MDCCXCVIII. [237]

11 x 17 cm.

Preface dated "Westfield, near Salisbury, September 14, 1798."
University of North Carolina, Chapel Hill, N. C.; Princeton University, Princeton, N. J.; Bruce Cotten, Baltimore, Md.

MCCORKLE, SAMUEL EUSEBIUS.

Four | Discourses, | on | The general first Principles of Deism and Reve-|lation contrasted; delivered in Salisbury, | and Thyatira, on different days | in April & May, 1797. | [*Filet*] | By the Revd. Samuel E. M'Corkle, D.D. | Pastor of the Church at Thyatira, near Salisbury, | Rowan County, North-Carolina. | [*Rule*] | Discourse II. | [*Rule*] | Salisbury, | Printed by Francis Coupee, & John M. Slump, | at their English and German Printing-Office. | MDCCXCVIII. [238]

11.5 x 18.5 cm. 1 leaf, [3]-42 p.

Discourse I appeared in 1797; see no. 220, above. No record has been found of the third and fourth of this series of discourses.

University of North Carolina, Chapel Hill, N. C.; Sondley Library, Asheville, N. C.; Presbyterian Historical Society, Philadelphia, Pa.; Bruce Cotten, Baltimore, Md.

MCCORKLE, SAMUEL EUSEBIUS.

Three | Discourses | on the terms of | Christian Communion. | In the first of which, certain principles are at-|tempted to be established in order from them | to deduce in the ensuing Discourses | the Doctrines and Precepts that | ought to be made terms. | [*Rule*] | By the Rev. Samuel Eusebius M'Corkle, | D.D. Pastor of the Church at Thyatira,

near | Salisbury, Rowan County, (N. C.) | [*Rule*] | Discourse I. | [*Rule*] | [*4 lines, quotation*] | [*Ornamental rule*] | Salisbury: | Printed by Francis Coupee & John M. Slump, | at their English and German Printing Office. | MDCCXCVIII. [239]

11.5 x 18.5 cm. 50 p.

No record has been found of a second or third discourse in this series.

University of North Carolina, Chapel Hill, N. C.; Charlotte Public Library, Charlotte, N. C.; Bruce Cotten, Baltimore, Md.

McCorkle, Samuel Eusebius.

The | Work of God | for | The French Republic, | and | then her reformation or ruin; | or, | The novel and useful experiment of | National Deism, to us and all | future ages. | [*Rule*] | By Samuel E. M'Corkle D.D. Pastor of the | Church at Thyatira, Rowan County, N. C. | In a Discourse delivered at Thyatira and in Salisbury | on the Fast-Day appointed by the President, | May 9, 1798. | [*Rule*] | Salisbury: | [*Broken rule*] | Printed by Francis Coupee. | M.DCC.XCVIII. [240]

9 x 15.5 cm. 45 p.

Library of Congress, Washington, D. C.; Presbyterian Historical Society, Philadelphia, Pa.

North Carolina. General Assembly. House of Commons.

[*Row of type ornaments*] | Journal | of the | House of Commons. | [*Thick-thin rule*] | State of North Carolina. | At a General Assembly, begun and held in the City of Raleigh, on Monday | the twentieth of November, in the year of our Lord one thousand seven hun-|dred and ninety-seven, and of American Independence the twenty-second; it be-| ing the first session of this Assembly. | [Halifax: Abraham Hodge, 1798.] [241]

22.5 x 37.5 cm. 56 p.

Caption title. Imprint on p. 56: Halifax: Printed by Abraham Hodge, Printer to the State.

The session lasted to December 23, 1797.

Weeks no. 117.

Burton Historical Collection, Detroit Public Library, Detroit, Mich.; Supreme Court Library, Raleigh, N. C.; Henry E. Huntington Library, San Marino, Cal.; Library of Congress, Washington, D. C.; Massachusetts State Library, Boston, Mass.; Wisconsin Historical Society, Madison, Wis.

North Carolina. General Assembly. Senate.

[*Row of type ornaments*] | Journal | of the | Senate. | [*Thick-thin rule*] | State of North Carolina. | At a General Assembly, begun and

held in the City of Raleigh, on Monday | the twentieth of November, in the year of our Lord one thousand seven hun-|dred and ninety-seven, and of American Independence the twenty-second; it be-|ing the first session of this Assembly. | [Halifax: Abraham Hodge, 1798] [242]

22.3 x 37.3 cm. 44 p.
Caption title. Imprint on p. 44: Halifax: Printed by Abraham Hodge, Printer to the State.
Weeks no. 116.
Burton Historical Collection, Detroit Public Library, Detroit, Mich.; Supreme Court Library, Raleigh, N. C. (imperfect); Henry E. Huntington Library, San Marino, Cal.; Library of Congress, Washington, D. C.; Massachusetts State Library, Boston, Mass.; Wisconsin Historical Society, Madison, Wis.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Rule*] | At a General Assembly begun and held at Raleigh, on the twentieth day of | November, in the year of our Lord one thousand seven hundred and ninety-seven, | in the twenty-second year of the Independence of the said State: Being the first Session of the said Assembly. | [*Rule*] | [Halifax: Printed by Abraham Hodge, Printer to the State.] | [1798.] [243]

22 x 37 cm. 25, [1] p.
Caption title. Imprint as above (undated) at end.
Weeks no. 118.
Henry E. Huntington Library, San Marino, Cal.; Library of Congress, Washington, D. C.; Massachusetts State Library, Boston, Mass.; Harvard Law School Library, Cambridge, Mass.; Association of the Bar, New York, N. Y.; Pennsylvania Historical Society, Philadelphia, Pa.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Rule*] | At a General Assembly, begun and held at Raleigh, on the twentieth day of | November, in the year of our Lord one thousand seven hundred and ninety-seven, | in the twenty-second year of the Independence of the said State: Being the first, Session of the said Assembly. | [*Rule*] | [Halifax: Abraham Hodge, 1798.] [244]

20 x 32.5 cm. 15 p.
Caption title; no imprint.
A supplement to Iredell's Revision.
Harvard Law School Library, Cambridge, Mass.; University of North Carolina, Chapel Hill, N. C. (3 copies).

The | North-Carolina | Almanac, | For the Year of our Lord 1799; | Being the third after Bissextile or Leap-Year, | and the 23d—24th of American Independence. | Containing | The Lunations, Rising and Setting of the Sun, Moon | and Seven Stars, Solar and Lunar Eclipses, | Remarkable Days, Festivals, &c. &c. | Also, | A variety of useful and amusing articles. | [*Filet*] | Calculated for the State of North-Carolina, | being precisely adapted to the Meridian and | Latitude of the Town of Salisbury, | but will serve without any sensible error | for any of the states adjacent. | [*Rule*] | Salisbury: | Printed and sold, wholesale and retail, | by Francis Coupee. | [1798.] [245]

10 x 17 cm. [40] p.
Library of Congress, Washington, D. C.; Bruce Cotten, Baltimore, Md.

[The North-Carolina Almanack, for the year of our Lord, 1799; and of American Independence, 23—24. Being the 3d after Leap Year. Calculated for the Meridian of Newbern, 35 Deg. 4 Min. North Lat. 2 Deg. 61 [?] Min. Long. West from Philadelphia. Newbern: Printed for John C. Osborn & Co. ? 1798.] [246]

Advertised in the *Newbern Gazette* of November 24, 1798, as "Just published and for sale at this office."
Evans 34248 (not located).

1799

Baptists. North Carolina. Neuse Baptist Association.

[*Type ornament*] | Minutes | of the | North-Carolina | Neuse Baptist Association, | holden at | Poplar Spring Meeting-House, | Franklin County. | [*Rule*] | Friday, October 18, 1799. | [Raleigh: Joseph Gales, 1799.] [247]

13 x 20 cm. 8 p.
Caption title. Imprint on p. 8: "Printed by J. Gales, Raleigh."
American Baptist Historical Society, Chester, Pa.

Davie, William Richardson.

Instructions | to be observed for the | formations and movements | of the | Cavalry. | [*Rule*] | [*Long rule*] | Published agreeably to a Resolution of the Legislature of North-Carolina. | [*Long rule*] | By William Richardson Davie, Esquire. | Governor, Captain-General and Commander in Chief of the Militia of the | State of North-Carolina. | [*Double rule*] | Halifax: | Printed by Abraham Hodge. | M.DCC.XCIX. [248]

12 x 19.5 cm. ix, [2], 180 p., 3 plates.
Advertised in Hodge & Boylan's *North-Carolina Minerva and Raleigh Advertiser* of October 29, 1799, as "Just published and for sale at this

office . . . " The same paper of July 9, 1799, carried a notice dated April 29, 1799, that this work was in the press: "It being supposed that the 150 copies taken by the public are scarcely sufficient to supply the whole of the commissioned officers and that these Instructions would be a desirable acquisition at the present crisis to private gentlemen, an extra number is printed. It will be printed on a good Paper, in a distinct and legible manner, and contains upwards of 180 octavo Pages, with Copperplates illustrating the Manoeuvres, Evolutions, &c. It will be delivered to the subscribers in the towns of Newbern, Edenton, Tarborough, Fayetteville, Salem, Hillsborough, and at the printing office in the town of Halifax, and city of Raleigh, bound in boards, at One Dollar. A. Hodge. N.B. The price to non-subscribers will be One Dollar and a quarter."
Stephen B. Weeks, "Libraries and Literature in North Carolina in the Eighteenth Century," American Historical Association *Annual Report* for 1895, p. 259, mentions two editions of this—"the first in 1798 and the second, revised and enlarged, in 1799 (Halifax)." The above publisher's notice of 1799 says nothing of an earlier edition, but the preface of the 1799 edition says that "The policy of placing our own cavalry on a footing with the cavalry of Europe, rendered several additions necessary to the small work contemplated by the Legislature, which had been published by Col. Davie for the use of his own regiment."
Weeks 1891, no. 119.

The New York Public Library copy is from the library of George Washington with his autograph.
Weeks no. 124. Sabin 18748.

New York Public Library, New York, N. Y.; Sondley Library, Asheville, N. C.; Duke University Library, Durham, N. C.; Wake Forest College, Wake Forest, N. C.; University of North Carolina, Chapel Hill, N. C.; United States Military Academy, West Point, N. Y.; Bruce Cotten, Baltimore, Md.

FREEMASONS. NORTH CAROLINA. GRAND LODGE.

[*Row of type ornaments*] | An | Abstract of the Proceedings | of the | Grand Lodge | of North-Carolina, | In the Year A.L. 5799. A.D. 1799. | [Raleigh—Printed by Brothers Hodge & Boylan.] | [1799.] [249]

12.5 x 20 cm. 28 p.

Caption title. Imprint as above (without date) on p. 28.

Masonic Grand Lodge Library, New York, N. Y.; Masonic Grand Lodge Library, Philadelphia, Pa.

Hodge & Boylan's | North-Carolina | Almanack, | For the Year of our Lord 1800: | Being Bissextile or Leap-Year in course, but | will be counted as a common year. | And the 24th-25th of American Independ-

ence. | [*11 lines*] | [*Rule*] | By William Thomas, Ast. | [*Rule*] | Halifax: | Printed and Sold by Abraham Hodge. | [1799.] [250]

11 x 18 cm. 48 p.

The lines omitted above are the same as in the title of *Hodge's North-Carolina Almanack* for 1799 (no. 235, above).

Advertised in the *North-Carolina Minerva and Raleigh Advertiser* of November 26, 1799, as "Just published [by Hodge & Boylan], and for sale at their Printing offices in Halifax and Raleigh, at 40 dollars per 1000, . . . and a shilling a piece . . . "

American Antiquarian Society, Worcester, Mass.; Bruce Cotten, Baltimore, Md.

North Carolina. Courts: Superior Courts of Law and Equity.

Reports | of | Cases Adjudged | in the | Superior Courts of Law and Equity | of the | State of North-Carolina, | from the year 1789, to the year 1798. | [*Rule*] | By John Haywood, Esquire, | one of the judges of the Superior Courts of Law and Equity. | [*Rule*] | Halifax: | Printed by Abraham Hodge. | M,DCC,XCIX. [251]

12 x 20.5 cm. [4], 502, [18] p.

The second volume of Haywood's North Carolina reports was issued in 1806.

Weeks no. 123. Evans 35607.

American Antiquarian Society, Worcester, Mass.; Sondley Library, Asheville, N. C.; Duke University Library, Durham, N. C.; Library of Congress, Washington, D. C.; Massachusetts State Library, Boston, Mass.; Harvard Law School Library, Cambridge, Mass.; New York Public Library, New York, N. Y.; Association of the Bar, New York, N. Y.; Cincinnati Law Library Association, Cincinnati, Ohio; John Carter Brown Library, Providence, R. I.; Bruce Cotten, Baltimore, Md.

North Carolina. General Assembly. House of Commons.

[*Headband of type ornaments*] | Journal | of the | House of Commons. | [*Heavy rule*] | State of North-Carolina. | In the House of Commons. | [*Line of type ornaments*] | At a General Assembly begun and held at the City of Raleigh, on Monday the nine-|teenth day of November, in the year of our Lord one thousand seven hundred and ninety-eight, | and of the Independence of the United States of America the twenty-third: It being the | First Session of this Assembly. | [*Line of type ornaments*] | [Wilmington: Allmand Hall, 1799.] [252]

28 x 30 cm. 80 p.

Caption title; no imprint. The session lasted to December 24, 1798.

Allmand Hall's *Wilmington Gazette* of April 19, 1799, contained the following notice:

"The Laws & Journals of the last session of the General Assembly . . . will be completed and ready for delivery the latter end of this

week, . . . The deprivation of a house and the destruction of a part of my printing apparatus, by the late fire, have in a great measure retarded their publication—these circumstances produced unavoidable obstacles to the speedy execution of business, during the inclemency of the winter, which I hope will be a sufficient apology for their not being ready at a much earlier period. In consequence of a promise to the members of the General Assembly, to establish a Printing-office at the seat of government, previous to the ensuing session, and in obedience to an act entitled "An act more fully to ascertain the duties of the Public Printer," I have made arrangements for that purpose, and am in daily expectation of receiving from New-York, a complete set of printing apparatus, with every other necessary, for the dispatch of business; which, when received will be immediately forwarded to Raleigh, where . . . I intend publishing . . . a Newspaper, to be entitled The Courier, or North-Carolina State Gazette; (notwithstanding the opposition lately manifested by the removal of the Fayetteville Minerva office to that place.)"

In spite of this announcement, Hall did not remove to Raleigh, but continued to publish his *Gazette* at Wilmington.

Weeks no. 121.

Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.

NORTH CAROLINA. GENERAL ASSEMBLY. SENATE.

[*Headband of type ornaments*] | Journal | of the | Senate. | [*Thick rule*] | State of North-Carolina. | In the Senate. | [*Line of type ornaments*] | At a General Assembly begun and held at the City of Raleigh, on Monday the nine-|teenth day of November, in the year of our Lord one thousand seven hundred and ninety-eight, | and of the Independence of the United States of America the twenty-third: It being the | First Session of this Assembly. | [*Line of type ornaments*] | [Wilmington: A. Hall, 1799.] [253]

18 x 29.5 cm. 79 p.

Caption title. Imprint on p. 79: Wilmington, (N. C.) Printed by A. Hall, Printer to the State.

Weeks no. 120.

Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Line of typographic ornaments*] | At a General Assembly begun and held at the City of Raleigh, on Monday the | nineteenth day of November, in the year of our Lord one thousand seven hundred and | ninety-eight, and of the

Independence of the United States of America the twenty-third: | It being the First Session of this Assembly. | [*Line of typographic ornaments*] | [Wilmington: A. Hall, 1799.] [254]

21 x 30 cm. 55, [3] p.
Caption title. Imprint at end: Wilmington (N. C.), Printed by A. Hall, Printer to the State.
Weeks no. 122. Evans 34247.
Harvard Law School Library, Cambridge, Mass.; Supreme Court Library, Raleigh, N. C.; University of North Carolina, Chapel Hill, N. C.; Henry E. Huntington Library, San Marino, Cal.; Library of Congress, Washington, D. C.; Massachusetts State Library, Boston, Mass.; New York Public Library, New York, N. Y.; Association of the Bar, New York, N. Y.; Pennsylvania Historical Society, Philadelphia, Pa.

North Carolina. Laws, Statutes, etc.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Thick-thin rule*] | At a General Assembly, begun and held at the City of Raleigh, | on Monday the nineteenth day of November, in the year of our Lord | one thousand seven hundred and ninety-eight, and of the Independence | of the United States of America the twenty-third: It being the First Session of this Assembly. | [*Thin-thick rule*] | [Wilmington: A. Hall, 1799.] [255]

20 x 32.5 cm. 27 p.
Caption title; no imprint.
A supplement to Iredell's Revision.
Harvard Law School Library, Cambridge, Mass.; University of North Carolina, Chapel Hill, N. C. (3 copies).

North Carolina. Laws, Statutes, etc.

[The Militia Laws, now in force in the State of North Carolina. Extracted from the several acts of the General Assembly of the State of North-Carolina. And Published according to the resolution of the officers composing the Court Martial of the first battalion of Cavalry, and of the resolution of the officers composing the Court-Martial of the first battalion of infantry, of Rowan Militia. Salisbury: Francis Coupee, 1799.] [256]

Advertised in the *North-Carolina Mercury and Salisbury Advertiser* of June 27, 1799: "This day is published, by Francis Coupee, and for sale at his Printing Office, Salisbury. . . . The several Subscribers to the above laws, may receive their copies by applying at this office."

UNITED STATES. TREATIES.

[Articles of a Treaty between the United States of America and the Cherokee Indians. Halifax, 1799.] [257]

Not located. Title from Anderson Catalogue 1912, January 1925, no. 365.

1800

ADDISON, ALEXANDER.

Analysis | of | The Report of the Committee | of the | Virginia Assembly, | on the | Proceedings of sundry of the other States | in | Answer to their Resolutions. | [*Rule*] | By Alexander Addison. | [*Rule*] | Raleigh: | Printed by Hodge & Boylan. | 1800. [258]

10.5 x 19 cm. 54 p.

New York Public Library, New York, N. Y.

Animadversions | on | James Holland's | Strictures | on General | Joseph Dicksons | Circular Letter, | of the first of May 1800. | [*Broken rule*] | Lincolnton: (N. C.) | Printed, by John Martin Slump, at his Printing-Office, | near the Public Square. 1800. [259]

11.5 x 19.5 cm. 15 p.
Signed at end: A True Republican Federalist.
Sabin 32506.

University of North Carolina, Chapel Hill, N. C.

CALDWELL, JOSEPH.

Eulogy | on | General Washington, | Pronounced in | Person-Hall, | at the | University of North-Carolina, | on The Twenty-Second of February, 1800, | Appointed by the General Government to be Celebrated | throughout the United States. | [*Rule*] | By | the Rev. Joseph Caldwell, A.M. | Prof. Math. at the University. | [*Rule*] | Raleigh: Printed by J. Gales. | [*Rule*] | 1800. [260]

10.5 x 18.5 cm. 34 p.

University of North Carolina, Chapel Hill, N. C.

FREEMASONS. NORTH CAROLINA. GRAND LODGE.

Proceedings | of the | Grand Lodge | of | North-Carolina, | For the Year A.L. 5800, A.D. 1800. | [*Filet*] | Raleigh: | Printed by Brothers Hodge & Boylan. | [1800 ?] [261]

13 x 20 cm. 16 p.

Masonic Grand Lodge Library, New York, N. Y.; Masonic Grand Lodge Library, Philadelphia, Pa.

Freemasons. North Carolina. Grand Lodge.

To Brother [*name in MS*] | [Raleigh ? 1800 ?] [262]

22 x 35.5 cm. Broadside.
Appointment to visit the lodges on behalf of the Grand Master.
The copy described is filled in with the name of "The Hon. Edward Jones" and the date "January, 1800," in MS.
Library of the Supreme Council, 33d Degree, Washington, D. C.

Haywood, John.

The | Duty and Office | of | Justices of Peace, | and of | Sheriffs, Coroners, Constables, &c. | According to the Laws of the State of North Carolina. | To which is added | An Appendix, | Containing the Act directing the Mode of recovering Debts | of twenty Pounds and under; the Declaration of Rights | and Constitution of this State; the Constitution of | the United States, | with the Amendments | thereto; and an Abstract from the Act of | Congress, laying Duties on stamped | Vellum, Parchment and Paper. | Together with | A Collection of the most useful Precedents. | [*Rule*] | By John Haywood, Esquire. | Late one of the Judges of the Superior Courts of Law and Equity. | [*Rule*] | Halifax: | Printed by Abraham Hodge. | M.DCCC. [263]

12.5 x 20 cm. viii, 400 p.
Advertised in the *North-Carolina Minerva and Raleigh Advertiser* of December 23, 1800 (notice dated December 20) as "Just published and for sale at this office . . . "
Henry E. Huntington Library, San Marino, Cal.; Sondley Library, Asheville, N. C. (2 copies); Duke University Library, Durham, N. C.; University of North Carolina, Chapel Hill, N. C.; Harvard College Library, Cambridge, Mass.; Harvard Law School Library, Cambridge, Mass.; John Carter Brown Library, Providence, R. I.; Bruce Cotten, Baltimore, Md.

Hodge & Boylan's | North-Carolina | Almanack, | For the Year of our Lord 1801. | Being the first after Bissextile or Leap Year, and the 25th —|26th of American Independence. | Containing | The Lunations, Rising and Setting of the Sun, | Moon and Seven Stars, Solar and Lunar | Eclipses, Remarkable Days, &c. &c. | Also, | A variety of useful and amusing Articles. | [*Filet*] | Calculated for the state of North-Carolina, being precisely | adapted to the meridian and latitude of the city of Raleigh. | [*Rule*] | By P. B. Teacher of the Mathematicks, | Richmond County, North-Carolina. | [*Rule*] | Halifax: | Printed by Abraham Hodge. | [1800.] [264]

11 x 19 cm. 48 p.
American Antiquarian Society, Worcester, Mass.; Bruce Cotten, Baltimore, Md.

LORETZ, ANDREW.

[Funeral Sermon on the death of General Washington. Lincolnton? 1800] [265]

According to G. William Welker, "His discourse at Lincolnton on General Washington is still spoken of in that region as one of transcendent ability. . . Judge D. Schenck, in an article in a Lincolnton paper, thus speaks of Mr. Loretz: ' . . . He preached a funeral sermon on the death of General Washington, which was so original and eloquent that it was published in pamphlet and sent through the country.' " *Colonial Records*, VIII: 755-756.

MCCORKLE, SAMUEL EUSEBIUS.

True Greatness. A sermon on the death of Gen. George Washington; the substance of which was delivered at Thyatira on Sunday, January 12th; and afterwards with some additions in Salisbury, February 11, 1800. By Samuel Eusebius M'Corkle . . . Lincolnton: Printed by John M. Slump, at his English and German Printing-Office, 1800. [266]

11.5 x 21.5 cm. 27, [2] p. Title in mourning border.
Weeks no. 128, from Sabin 43097 (not located).
Library of Congress, Washington, D. C. (but volume reported "lost" in May, 1935).

MCREE, JAMES.

An | Eulogium, | or | Funeral Discourse: | Delivered at Salisbury, on the 22nd. February, | 1800; by the Revd. James M'Ree: | In commemoration of the death of | General George Washington. | [*Filet*] | Salisbury: | Printed by Francis Coupee. | 1800. [267]

8.5 x 15 cm. 20 p.
New York Public Library, N. Y. (slightly mutilated).

NORTH CAROLINA. GENERAL ASSEMBLY. HOUSE OF COMMONS.

Journal | of the | House of Commons. | [*Rule*] | State of North Carolina. | At a General Assembly begun and held at the City of Raleigh, on Monday, the 18th of November, in the Year of our | Lord one thousand seven hundred and ninety-nine, and of the Independence of the United States of America the 24th: | It being the first Session of this Assembly. | [*Rule*] | [Raleigh: Hodge & Boylan, 1800.] [268]

21.5 x 37 cm. 68 p.
Caption title. Imprint on p. 68: Raleigh: Printed by Hodge & Boylan, Printers to the State.
The session lasted to December 23, 1799.
Weeks no. 126.
Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.

NORTH CAROLINA. GENERAL ASSEMBLY. SENATE.

[*Type ornament*] | Journal | of the | Senate. | [*Broken thick-thin rule*] | State of North-Carolina. | At a General Assembly, begun and held at the City of Raleigh, on Monday | the eighteenth day of November, in the year of our Lord one thousand seven | hundred and ninety-nine, and in the twenty-fourth year of the Independence of | the said State. It being the first Session of said Assembly. | [*Broken thin-thick rule*]. [Raleigh: Hodge & Boylan, 1800.] [269]

20.5 x 27 cm. 60 p.

Caption title; no imprint. The Journal of the House and the Laws of this session were printed by Hodge & Boylan, Raleigh.

Weeks no. 125.

Library of Congress, Washington, D. C.; Supreme Court Library, Raleigh, N. C.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Thick-thin rule*] | At a General Assembly, begun and held at Raleigh, on the | eighteenth day of November, in the year of our Lord one thousand | seven hundred and ninety-nine, and in the twenty-fourth year of the | Independence of the said State: Being the first Session of the said Assembly. | [*Thin-thick rule*] | [Raleigh: Hodge & Boylan, 1800.] [270]

21 x 32.5 cm. 41, [3] p.

Caption title. Imprint at end: Printed by Hodge & Boylan, Printers to the State.

Weeks no. 127.

Harvard Law School Library, Cambridge, Mass.; University of North Carolina, Chapel Hill, N. C.; Library of Congress, Washington, D. C.; Association of the Bar, New York, N. Y.

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Laws | of | North-Carolina. | [*Thick-thin rule*] | At a General Assembly, begun and held at Raleigh, on the | eighteenth day of November, in the year of our Lord one thousand | seven hundred and ninety-nine, and in the twenty-fourth year of the | Independence of the said State: Being the first Session of the said Assembly. | [*Thin-thick rule*] [271]

20 x 32.5 cm. 20 p.

Caption title; no imprint.

A supplement to Iredell's Revision.

Harvard Law School Library, Cambridge, Mass.; University of North Carolina, Chapel Hill, N. C. (2 copies).

NORTH CAROLINA. LAWS, STATUTES, ETC.

[*Typographic headband*] | Index | to the | Appendix. | [*Short rule*] [Raleigh: Hodge & Boylan, 1800?] [272]

20 x 32.5 cm. 8 p.

Caption title; no imprint.

A supplement to Iredell's Revision. Weeks 1896, p. 265, refers to "An index to the appendices through 1798." In the collected volumes this 8-page index follows the laws of December, 1799.

Harvard Law School Library, Cambridge, Mass.; University of North Carolina, Chapel Hill, N. C.

NORTH CAROLINA, UNIVERSITY.

Laws | of the | University | of | North-Carolina; | Established by the | Board of Trustees, | at their Session in December, | 1799. | [*Rule*] | Raleigh: | Printed by J. Gales. | [*Rule*] | 1800. [271]

10.5 x 17 cm. 24 p.

Weeks 1896, p. 267, no. 132.

University of North Carolina, Chapel Hill, N. C.

UNITED STATES. LAWS, STATUTES, ETC.

[Acts Passed at the First Session of the Sixth Congress of the United States, begun and held at Philadelphia, December 2, 1799. Halifax: Abraham Hodge, 1800.] [272]

Folio. 28 p.

Title from Anderson Catalogue 1912, January 1925, no. 718, where it is described as a supplement to the *North-Carolina Journal*, no. 409, printed at Halifax by A. Hodge.

WALLIS, JAMES.

An | Oration | on the | Death | of | General George Washington, | late President of the United States; | delivered in Charlotte, | February 22, 1800, | to the | citizens of Mecklenburgh County, | And published at the Request of | the militia officers of said county. | [*Ornament*] | By | James Wallis. | [*Filet*] | Raleigh: | Printed by Joseph Gales. | [*Short rule*] | 1800. [273]

12 x 20 cm. 16 p.

New York Public Library, New York, N. Y.

[*Concluded*]

BOOK REVIEWS

UNIVERSAL EDUCATION IN THE SOUTH. By Charles W. Dabney. (Chapel Hill: The University of North Carolina Press. 1936. Pp. xvi, 568. $3.75.)

This is the first of two volumes on public education in the Southern states on which the author, himself one of the conspicuous builders of this important social enterprise in that region, has been working for several years. The present volume, which tells the fascinating story of the struggles for public schools down to 1900 in Virginia, the Carolinas, Georgia, Kentucky, Tennessee, Alabama, Florida, Mississippi, Louisiana, Arkansas, and Texas, traces the evolution of Jefferson's idea of universal education, explains the guiding principles behind the idea, and sets out the facts and forces in these states that delayed and those that finally gained the acceptance of schools for the children of all the people. The second volume, soon to be published, will bring the story down to the present.

No one could be found better qualified than Dr. Dabney to do such a task. Native of Virginia and educated at Hampden-Sydney College, at the University of Virginia, and in Germany, he has spent a long life in educational work principally in the South. As professor of chemistry in the University of North Carolina and state chemist; organizer and first director of the North Carolina Experiment Station; co-author of the bill under which the North Carolina State College of Agriculture and Engineering was established; director of the Tennessee Experiment Station; president of the University of Tennessee for seventeen years and of the University of Cincinnati for sixteen years; for three years assistant secretary of agriculture in charge of all scientific bureaus and divisions of that department; founder and director of the Summer School of the South at Knoxville which set a high standard for similar schools throughout the Southern states; leader in the Conference for Education in the South and one of the organizers of the Southern Education Board; and, for nearly half a century an energetic and diligent collector and intelligent interpreter of information on the history and conditions of education in the region which he knows

so intimately and writes about so well, Dr. Dabney has produced a significant book—by far the best thing of its kind that has yet appeared.

Beginning with a careful discussion of a favorite theme of every writer on the history of education in the South—Jefferson's famous bill of 1779 "for the more general diffusion of knowledge"—the author follows with chapters on conditions that influenced educational theories and practices in the early years, on the academy movement by which public school leaders were trained, on Jefferson's University and other colleges in Virginia and their influence on public education, and on the work and influence of the Peabody fund. Then follow chapters on the schools to 1900 in each of the dozen states treated. The last three of the twenty-two chapters of the volume deal with the education of the Negro and the work and influence of Samuel Chapman Armstrong at Hampton Institute and of Booker T. Washington and Robert R. Moton at Tuskegee Institute. Sympathetic are both the narrative and the interpretation of the voluminous material on which the story is told. High also are the author's tributes to the educational leaders in the South, to "the prescient, devoted souls who, during a hundred and fifty years, strove to establish free public schools for all the children of the South." To the memory of these workers the book is dedicated.

The difficulty of organizing and supporting public education in the South after the Civil War stands out clearly. Prejudice often grew into active opposition against public schools in most of the Southern states. One conspicuous example the author, in his own right a fervid apostle of education throughout his whole adult life, does not hesitate to report very objectively. His father, the Reverend Robert L. Dabney, who was professor in the Union Theological Seminary of Virginia and who had been Chief of Staff of Stonewall Jackson, engaged in a heated newspaper controversy (pages 154 ff.) with Dr. William H. Ruffner, the organizer and first superintendent of the public schools of Virginia. Many letters were exchanged by these two able men, the former representing the aristocratic view and the latter the Jeffersonian view of education. Dabney viewed free public schools as agrarian and paternalistic and an invasion of

the rights of the family. He also held that it was unjust to require the people of Virginia to educate the Negro. He favored the "old Virginia plan" of private and denominational schools; universal education to him seemed impractical. Ruffner answered that in a democracy all the people must be educated if their rights are to be protected and that the old type of family and church schools could never make such a provision. Democracy to him was a coöperative enterprise of citizens whose chief responsibility was the education of all the children. The author concludes that "Ruffner saved the schools from defeat and ruin . . . ."

The book is carefully indexed and contains rich bibliographical materials. It should be widely read as an account of the efforts of the Southern states to build schools for all the children.

The second volume will be awaited with much interest.

Edgar W. Knight.

University of North Carolina,
Chapel Hill, N. C.

The History of the German Friendly Society of Charleston, South Carolina. By George J. Gongaware. (Richmond: Garret & Massie. 1935. Pp. xv, 226. $3.00.)

In this volume Dr. Gongaware, who is pastor of St. John's Lutheran Church in Charleston, relates the history of the German Friendly Society from January 15, 1766, when it was organized with sixteen members, to its sesquicentennial in 1916. Originally membership was limited to one hundred Germans or such of other nationalities as could speak German, although the minutes were recorded in English. The purpose of the society was to provide support for members or their immediate dependents. Entrance fees and other receipts were placed in a permanent fund and only the interest was employed for relief. Members could qualify for aid after paying their dues and assessments for seven years; their widows and orphans immediately became eligible for support. Each application for aid, however, had to command a majority of at least nine votes. The fund amounted to more than forty-six hundred pounds in 1778. Attendance at the weekly meetings and at the annual banquet

was obligatory and absentees were fined; the cover charge for a dinner in 1828 was "$3.00 for every person who shall dine and $1.50 for every person who shall not dine."

The society established an English school for boys in 1803, founded a private library in 1805, and opened a short-lived school for girls in 1829. Regulations regarding pupils, teachers, courses of study, and the like comprise approximately twenty pages of valuable transcribed material.

The "savage violations of every law" by the "merciless foe" caused the society to omit all meetings during the occupation of the city by the British in the Revolutionary War. The War of 1812 is accorded brief mention. The Civil War and its aftermath, during which the hall which the society had erected in 1801 was shelled and later practically destroyed when Charleston was burned, receive more extended notice.

There are two appendices. One contains a list of the officers of the society from 1766 to 1935; the other, an alphabetical list of the members during the same period. The index is not exhaustive. Eleven portraits and several facsimiles of early certificates and portions of the records adorn the well-bound volume.

The author has included hundreds of resolutions and committee reports from more than a dozen minute-books, and to them has added hortative or eulogistic comments. References in several resolutions to changes in the "rules" cause one to wish that the "Book of Rules," which probably corresponds to the constitutions of other organizations, had been more copiously excerpted. The author describes Alexander Gillon as a son of Dutch parents and also as "evidently a Frenchman," but the connection seems to indicate that an inadvertent transposition of a phrase occurred. The name of the rival society, appearing as *Der Deutsches Freundschafts Bund,* should be written *Der Deutsche Freundschafts-Bund.*

Dr. Gongaware has produced an interesting chronicle of the society which the reviewer believes to be the pioneer German benevolent association in America. While primarily of local and state interest, the book is also a valuable source for the student of the German element in the United States.

GREENSBORO, N. C. WILLIAM H. GEHRKE.

The Transylvania Colony. By William Stewart Lester. (Spencer, Indiana: Samuel R. Guard and Company. 1935. Pp. xv, 288. $3.00.)

The Transylvania colony was one among many projected schemes for the settlement of the trans-montane lands of the English colonies during the three decades preceding the American Revolution. Its history differs from that of the other colonies in that it was an attempt to establish an independent, proprietary government without first securing the consent and approval of Great Britain.

Professor Lester has carefully examined the available sources and has presented a vigorous and interesting narrative of the rise and fall of this abortive colony. He has made good use of the Draper manuscripts and of the official records of Virginia and North Carolina. Many records which would have thrown light on this study of "The Fourteenth Colony" have been lost. Others, he says, are "in the hands of manuscript hoarders" and are therefore not available.

The volume gives a clear, coherent account of the rise and fall of Transylvania. It discusses the organization of the Transylvania Company; the Sycamore Shoals treaty; the coming of Boone and Henderson into Kentucky and the history of the first settlements; the creation of a government and the problems of administration; the efforts of Transylvania to obtain official recognition from the Continental Congress; difficulties with Virginia; and the ultimate collapse of the colony. Considerable space is devoted to social and economic life in this frontier community. One of the most interesting chapters is on "Transylvania in North Carolina."

Richard Henderson was the moving spirit of the Transylvania colony. Naturally, therefore, the author has much to say about this extraordinary man. It seems to the reviewer that he has not taken an objective attitude toward Henderson and his company. He "undertakes to prove" that the Transylvania project was illegal and that Henderson and his associates were simply trying to exploit certain western lands, "primarily for their own benefit." He says Henderson was "a dreamer, an idealist, inordinately ambitious, introvertive, an arch-egotist, and inclined to be pompous." He declares that he was "fond of display and ostenta-

tion, especially where he was the chief actor in the pageant." He thinks there is no justification for calling Henderson "the Political Father of Kentucky," because "his plan of government for Transylvania made no worthy contribution to democracy and had no effect on the future government of Kentucky which had its origin in Virginia."

The author attempts at great length to show that the Henderson purchase from the Indians was illegal. He says, "Of all those who now presumed, or had ever at any time presumed, to possess sovereign title to the Transylvania country, Henderson and Company had the least valid claim." He declares that the so-called Sycamore Shoals treaty was not a treaty at all, but merely a deed by which Henderson's company sought to acquire about seventeen million acres of land. He maintains that this purchase was a violation of the proclamation of 1763 and of the colonial statutes of Virginia. It could not have violated both because the proclamation itself put an end to all colonial statutes in the Indian country. It seems that Lord Mansfield had advised Henderson that his purchase was not in violation of the proclamation. It is also quite likely that Henderson knew about the Camden-Yorke opinion, although the author doubts this. If the Henderson purchase had been a flagrant violation of the proclamation, it seems that Lord Dunmore would have mentioned this famous document when he denounced Henderson and ordered him off the western lands. Dunmore did not mention the proclamation.

The author overlooks the provisions of the Lochaber treaty when he contends that the Cherokees did not have legal title to lands west of the Kentucky River, because that treaty clearly recognized such title. He denounces Henderson for his efforts to set up an independent government, although Henderson himself disclaimed any ideas of independence and repeatedly acknowledged the authority of Virginia and North Carolina.

There are a few noticeable misstatements of fact. The Loyal Land Company did *not* have a royal charter (p. 48); the Ohio Company did *not* agree to erect a fort near Pittsburgh and another fort near the mouth of the Kanawha (p. 49); Boone did *not* go to Kentucky in 1774, "to warn all that were in the back

country" (p. 55); *Henry* Cabot did not discover America in 1497 (p. 152); Dinwiddie did *not* sign the petition of the Ohio Company (p. 158); the Walpole Company was *not* merged with the old Ohio Company (p. 159).

There is a bibliography, but no index. This is unfortunate. The volume is unusually rich in extracts from manuscript and printed sources. A good index would have made these documents more usable and would have added much to the value of the book.

Hugh T. Lefler.

University of North Carolina,
Chapel Hill, N. C.

William Mahone of Virginia. Soldier and Political Insurgent. By Nelson Morehouse Blake. (Richmond: Garrett and Massie. 1935. Pp. xv, 323. $3.00.)

Honor was so interwoven with the life of the Old South that one sometimes wonders if it was discovered there. Certainly honor—especially public honor—has been a diminishing quantity since the overthrow of the Old South in 1865. The present volume concerns the life of a man who was supposed in his time to be inimical to the very lofty ideals of public honor entertained by many Virginians sixty years ago. In his own lifetime it was forgotten that he was one of the ablest and bravest soldiers of the South, a great railroad organizer and executive, and a useful senator. "Billy" Mahone died in 1895 unforgiven for the offenses of being the leader of the Readjusters and, later, of the Republican party in Virginia. But today we look at things differently and give him credit for his valor and his ability. Mr. Blake's book is in the nature of a vindication of a Virginian who certainly merits much praise even if much criticism.

Today we are rather proud of the soldier who defeated Grant at the Crater on July 30, 1864, and whose command on that fatal day of April 9, 1865, was in fighting trim when many organizations had gone to pieces. We also remember that Mahone, in the terrible years following 1865, resisted the efforts of Northern railroad men to make Virginia entirely tributary to certain of

their systems and laid the foundations for a great Southern railway of today.

Few people know, however, that Mahone largely engineered the movement in 1869 that resulted in the fusion of Conservatives and Conservative Republicans and the election of Gilbert C. Walker. That election ended Reconstruction in Virginia.

The return of local self-government did not solve the problem of finances, especially the state debt. Virginia, ravaged and devastated, found itself faced with its ante-bellum debt, which it could not pay, together with the interest and accrued interest. The debt was funded, but even then the debt hung as an impossible imponderable around the neck of the Old Dominion. What was to be done?

"Pay" said the sticklers for honor; "pay at any price." And a majority of the conservative people of the State, called Funders, advocated payment and resented efforts to reduce the debt (advocated by the Readjusters) as repudiation. They became almost hysterical over what they felt was a reflection on Virginia's honor. It seems comical in retrospect, but so they did. It seems comical now because many of the bondholders were Europeans, and a large part of the Virginia people preferred practical bankruptcy to the infliction of any loss on the Europeans. In view of the serene manner in which nearly all the nations of Europe have recently repudiated their debts to the United States, the Funders might have spared themselves their shame.

The Readjusters won and rearranged the debt, thereby relieving the state finances. They also elected William Mahone United States senator for the term beginning in March, 1881. And Mahone, going to Washington, made what seems to have been the mistake of his life. He was elected as a Readjuster, not as a Republican or Democrat. Most of his supporters at the moment were Democrats or potential Democrats. As the two parties were tied in the Senate, his vote meant victory for the one or the other. Mahone might have chosen the Democratic side and perhaps remained in the Senate for life. But he could not forget that the Democrats, or Conservatives, had refused him the governorship in 1877 and had heaped unlimited abuse

on him as the leader of the Readjustment, so bitterly resented by the Funder Democrats. There had been two national Democratic tickets in Virginia in 1880, the Funder and the Readjuster, something that had riled Mahone deeply and had made him feel that he was being read out of the party. The result of all this was that in 1881 he cast his lot with the Republicans, thereby getting much federal patronage but damning himself with the Virginia people. He found himself before long looked on as the leader of Negroes, something that he did not at all desire. Formidable for a time, his power gradually crumbled. In 1885 he almost carried the State for John S. Wise but in 1889 when he himself ran for governor he was badly beaten. By that time nearly all of his old friends, including the Readjuster, "Parson" Massey, had turned against him and were rending the air with their denunciation of him. It was certainly a hard fate that Mahone at that time was regarded almost as a pariah. His last years were bitter and he died a broken man.

And now Professor Blake has written a good book in support of him. Some of the criticism of Mahone as arbitrary and perhaps unscrupulous was justified, but much of it was unfair and untrue, as the author shows. His statements are carefully documented and seem to be, in most instances, authentic. The literary style is good. The book is a contribution to Virginia history and, as such, should be welcomed.

H. J. Eckenrode.

State Commission of Conservation and Development,
Richmond, Va.

Prices in Colonial Pennsylvania. By Anne Bezanson, Robert D. Gray, and Miriam Hussey. [Industrial Research Department, Wharton School of Finance and Commerce, University of Pennsylvania. Research Studies, XXVI.] (Philadelphia, University of Pennsylvania Press, 1935. Pp. xix, 445. $4.00.)

This is the first of a series of volumes by the Industrial Research Department of the University of Pennsylvania dealing with the trend of prices in the period before 1860. In spite of its title it is limited almost entirely to a study of the Philadelphia area, for the back country receives practically no direct attention. The materials employed consist chiefly of the Philadelphia

newspapers with their valuable lists of prices current, supplemented by the manuscript records and correspondence of many merchants. From such sources the authors and their large corps of assistants have compiled detailed statistics on the month-to-month fluctuations of wholesale prices of each of twenty or so leading commodities between 1720 and 1775. Wherever possible, suggestions are made as to the causes and effects of the changes which took place. Five chapters are devoted to the chief staples of Pennsylvania and other continental colonies, three deal with imports from the West Indies, and two with imports from Great Britain and Europe. The details thus set forth are brought together in a useful chapter on the general index of prices, which emphasizes the cyclic nature of colonial business and the marked rise in the price level in the latter part of the period covered. The book concludes with a chapter on sterling exchange, one on general conclusions, and a lengthy appendix of tables giving the figures on which the numerous graphs throughout the volume are based.

The book will have value chiefly as a reference work. It is not to be expected that such a detailed presentation of price figures would make easy reading, and in fact only the introduction and the final chapters can be called in the ordinary sense "readable." The authors have had another purpose in mind. But it must be added that they seem to have taken little pains to match their statistical accuracy with an equal precision in the use of English. Literary revision might have added clarity as well as rhetorical correctness to such a sentence as: "In the remaining years of the period the fluctuations in the corn prices centered around a less marked rising tendency at a lower level than did those of wheat" (pp. 344-345). Such writing tends to confirm the common impression of economics as the "dismal science." But in spite of such stylistic defects the study will be of real value. Although concerned primarily with Philadelphia, it will be useful to those interested in other areas as well. It sheds light, for example, upon problems and developments in the naval-stores industry, so important in the colonial commerce of North Carolina. For many commodities Philadelphia prices may be taken as a gauge of those prevailing elsewhere. Upon

such laborious spade work as this volume represents depends the effective cultivation of our knowledge of colonial economic history.

Leonard W. Labaree.

Yale University,
New Haven, Conn.

Roger B. Taney: Jacksonian Jurist. By Charles W. Smith, Jr. (Chapel Hill: University of North Carolina Press. 1936. Pp. xi, 242. $3.00.)

It is difficult to think of Federalism without recalling the long career of John Marshall, who, as Chief Justice, wrote into our constitutional law the principles of moderate Federalism; likewise, the mention of Jeffersonian Democracy turns the mind to the works of its great leader and John Taylor of Caroline. But the Jacksonian Democracy produced no theorists of the caliber of the above named, due, perhaps, to the fact that it was aggressive in its nature, and that its leaders were men of action who were more or less prone to scorn theory and governmental forms as such. The appointment of Roger Brooke Taney as Chief Justice proved of great benefit from this point of view, because it is from the political utterances and some three hundred opinions delivered during his long career on the bench that one may obtain the best statement of the political theory of the new democracy.

This book is not a biography, but is an authoritative study of the political theory and constitutional interpretation of Taney, in the light of his background and training. The far-reaching transformations that had taken place in the several sections of the country, the steady advance of the American frontier, and the activity in the intellectual and spiritual life of the Nation rendered unsuitable an individualistic philosophy of natural rights. More and more would the government be asked to regulate business and social affairs of men, and if the government were to promote the general welfare of the people, the rigidity of some of Marshall's doctrines must be relaxed.

It is in the light of these changes that the political theory of Taney, as revealed in his opinions, must be considered, for in lending judicial aid to the forces at work to promote the well-being of the "common man" the Chief Justice has made his

greatest contribution to our country. With the exception of slavery he permitted no exploitation at the expense of the majority, as is shown in the Charles River Bridge decision; and in granting greater freedom to the states in regulating corporations and in enacting laws beneficial to their citizens, Taney played an important part in the development of the American idea of police power.

The book is well balanced. The first chapter, biographical in its nature, traces the early life and education of Taney and his political activities prior to his appointment to the bench, and concludes with an evaluation of his services as Chief Justice. The next three chapters deal with the question of sovereignty, its nature, early American political theory, social compact and popular sovereignty, Taney's theory and his application, and the necessity of protecting the people from limited groups within the state—minority interests that threatened popular sovereignty. Then the problem of the nature of the Union is discussed, and Taney's theory is shown to be consistent with his general theory of sovereignty. Chapters VI and VII deal with the American conception of police power, its conflict with chartered privileges, the extension of police power, and Taney's contribution. With Chapter VIII as an introduction, a discussion of the legal status of slavery and the Chief Justice's personal views on the subject, the Dred Scott case is treated at some length. The two final chapters deal with individual rights, and the reconciliation of liberty with the sovereignty of the state.

While the entire book is of moment to any one interested in history, the chapters on slavery and the Dred Scott case will, no doubt, receive immediate attention in the hope that some new data will be given. This is almost inevitable in view of the great amount of unfavorable criticism leveled at the Supreme Court and in particular, the Chief Justice. This reviewer must confess his disappointment in this respect, for they contain even less information than may be found in Charles Warren, *The Supreme Court in United States History* (Revised Edition, Vol. II), and Albert J. Beveridge, *Abraham Lincoln*, Vol. II. It may

be, however, that the restricted scope of the subject does not permit the treatment desired.

The book as a whole is informing and satisfactory. It is well arranged, concisely written, and well documented. The bibliography is indicative of the intensive study made of the subject, and the work appears to be free from mechanical errors. This valuable study of Taney's political theories and constitutional interpretations, together with the recently published biography by Professor Swisher, should go far in winning for Taney the admiration and respect he so richly deserves.

Ralph B. Flanders.

New York University,
New York, N. Y.

HISTORICAL NEWS

The history teachers of various North Carolina universities and colleges attended a dinner at the Sir Walter Hotel, Raleigh, on March 12. Dr. Randolph G. Adams, director of the William L. Clements Library at Ann Arbor, Michigan, was guest of honor and made a brief speech.

The annual meeting of the North Carolina Society, Colonial Dames of America, was held in Wilmington and in Brunswick County, May 5-6. Dr. C. C. Crittenden, secretary of the North Carolina Historical Commission, delivered to the group an historical address in the ruins of St. Phillip's Church, on the site of the extinct town of Brunswick.

The members of the Roanoke Island Historical Association attended a banquet at the Fort Raleigh Hotel, Manteo, on April 10. Plans were discussed for the celebration in 1937 of the 350th anniversary of the coming of the "Lost Colony" and the birth of Virginia Dare. Among the guests were Professor Paul Green of the Department of Philosophy, University of North Carolina, and Dr. C. C. Crittenden.

The North Carolina organizations of the Daughters of the American Revolution, the Daughters of 1812, and the Daughters of American Colonists held their annual conventions in Asheville early in March. In some sessions the three groups met jointly. A marker was unveiled on the city-county plaza to Samuel Ashe, after whom the city is named.

A celebration of the one-hundredth anniversary of the completion of Fort Macon, on Bogue Banks near Morehead City, was held at the fort on May 1. Governor J. C. B. Ehringhaus and others delivered addresses. In 1924 Congress granted the fort and surrounding area to the state of North Carolina, and the entire tract is now a state park.

The Southern Economic Journal, formerly published by the Southern Economic Association, became with volume II, number

3 (January, 1936), "the joint undertaking of the Association and of the University of North Carolina. . . . it has, through this reorganization, been changed in style, expanded in size and content, and is therefore almost a new venture."

Mr. Edward A. Oldham of New York, special correspondent of the Winston-Salem *Journal and Sentinel,* is assembling materials for a life of Edwin A. Alderman, with whom he grew up in Wilmington in the eighteen-seventies and 'eighties.

Dr. W. W. Pierson of the University of North Carolina has had accepted for publication a monograph, "The Career and Works of Francisco Aranzo y Parreño."

Dr. C. C. Pearson, head of the Department of Social Science in Wake Forest College, will offer courses in history in the University of Virginia summer school.

Professor Forrest W. Clonts of Wake Forest College is spending the summer touring Holland, Germany, Austria, Russia, and other European countries.

Dr. Charles S. Sydnor, head of the Department of History in the University of Mississippi, has been appointed associate professor of history in Duke University, beginning in September.

Dr. Fletcher M. Green of the staff of Emory University has been appointed professor of Southern history in the University of North Carolina, effective in September.

Dr. A. R. Newsome, head of the Department of History in the University of North Carolina, attended the meeting of the American Library Association in Richmond in May, and at one of the sessions read a paper on "The Status of Archival Administration in the American States."

Professor Hugh T. Lefler of the University of North Carolina will spend the summer in London, conducting research in the history of the Society for the Propagation of the Gospel in Foreign Parts. For this purpose he has received a grant from the Social Science Research Council.

Professor Loren C. MacKinney, after nine months of research in Europe, will resume in September his teaching duties in the University of North Carolina.

Books received include: Emma Toedteberg, editor, *Catalogue of American Genealogies in the Library of the Long Island Historical Society* (Brooklyn, N. Y. Published by the Society. 1935); H. J. Eckenrode and Bryan Conrad, *James Longstreet: Lee's War Horse* (Chapel Hill: The University of North Carolina Press. 1936); Verner Winslow Crane, *Benjamin Franklin: Englishman and American* (Published for Brown University. 1936); Henry Boley, *Lexington In Old Virginia* (Richmond: Garrett and Massie. 1936); John Tate Lanning, *The Diplomatic History of Georgia* (Chapel Hill: The University of North Carolina Press. 1936); Herbert Anthony Kellar, editor, *Solon Robinson: Pioneer and Agriculturist. Selected Writings*, Volume I, 1825-1845. Indiana Historical Collections, Vol. XXI (Indianapolis: The Indiana Historical Bureau. 1936); Tommie Dora Barker, *Libraries of the South: A Report on Developments, 1930-1935* (Chicago: American Library Association. 1936); Howard W. Odum, *Southern Regions of the United States* (Chapel Hill: The University of North Carolina Press. 1936); J. Luther Kibler, *Colonial Virginia Shrines* (Richmond: Garrett and Massie. 1936); O. J. Bond, *The Story of The Citadel* (Richmond: Garrett and Massie. 1936).

The North Carolina Historical Commission has offered to deed the Fort Raleigh property, now in its possession, to the National Park Service. The offer was formally made by Dr. C. C. Crittenden at a hearing in Washington on May 8 before the National Advisory Board of the Park Service. Present also were Congressman Lindsay C. Warren of the First North Carolina District and Mr. R. Bruce Etheridge, director of the North Carolina Department of Conservation and Development. The Park Service will investigate the matter, with a view toward accepting or rejecting the offer.

Several dozen historical highway markers are now in place in North Carolina, and it is expected that within twelve months

more than two hundred will have been erected. Miss Marybelle Delamare, acting collector for the North Carolina Hall of History, is conducting most of the requisite research. For this purpose she spent ten days in May in the Albemarle section, and a week in June in the Charlotte area.

The Survey of Federal Archives and the Historical Records Survey, both State-wide WPA projects under the direction of Dr. C. C. Crittenden, are requiring more time than had been anticipated, but it is expected that field work for the former will be completed within a few weeks, and for the latter by the end of the summer.

CONTRIBUTORS TO THIS ISSUE

Miss Margaret Callender McCulloch is an assistant professor of history in Le Moyne College, Memphis, Tennessee.

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INDUSTRIES OF COLONIAL GRANVILLE COUNTY

By NANNIE MAY TILLEY

Though farming was the most important industry in Granville County during the colonial period,[1] trapping and hunting earlier engaged the attention of the settlers. The bounteous supply of animal life was waiting for immediate use when the pioneers arrived, while the pursuit of agriculture required expensive preparation. The game of the county furnished a source of daily food supply, besides affording a means of barter or a source of money. The facilities for hunting and trapping were so widespread that both continued to be important in the county's economic life throughout the colonial period. Eighteen years before the establishment of the county as a political unit there were frontiersmen within its borders who earned their living in the woods as guides and hunters. These men's mode of life resulted in their being well versed in forest lore.[2] After the launching of the county as a political entity, the very same type of character is found in the person of Henry Day. Day was recommended to Bishop Spangenberg as a hunter who was an excellent guide; and evidently he gave splendid service, because the cautious bishop in turn recommended him to his brethren as one who could help them find the tracts of land which Spangenberg had taken up.[3] Somewhat later a tract of land on the Tar River was sold for a much higher price than surrounding tracts because it included a beaver house which presumably was a storage house or bartering place for beaver

1 Granville County Deed Books, A - L. (All other references to the Granville County Deed Books will be by letter and page, as B, 367.)

2 Boyd, W. K., *Byrd's Dividing Line Histories*, p. 157.

3 Saunders, William L. (compiler), *The Colonial Records of North Carolina*, V, 4. (Hereafter this series will be cited as *C. R.*)

skins.[4] Near the end of the colonial period deer skins sold at public vendue for three shillings and three pence each,[5] which was equal to the price of half an acre of land. No doubt the regular selling price was higher. Perhaps the Indian was the inspiration of this early type of huntsman. Instead of sending for frontiersmen who had not yet come in great numbers, Byrd in 1728 sent for Indians to supply his camp with meat.[6] Thus from the days of Indians and pioneer white settlers to the prosperous period immediately preceding the Revolution, the animal life of the county continued to furnish a means of livelihood.

The wild life attracted only a very small portion of the Granville settlers. In search of a country which would furnish better farming facilities, the Virginians moved into Granville, believing it to be true that "the soyl of North Carolina is much better than that of Virginia."[7] The alluvial plains along the numerous streams, where canes and reeds grew abundantly, led the settlers into Granville. Bishop Spangenberg's account of the farming there in 1752 well describes conditions:

> . . . though if you except the culture of Indian corn & raising of hogs there is but little done on these plantations. As far as cattle & stock are concerned—it is purely their fare to see to it how they get through the winter; with horses it is no better. If they survive it—they survive it! Hay they have none for there are no meadows, & corn fodder & tops do not go far. Thus in winter the people have no milk at all, and when spring comes the cows are so nearly starved out as to be of little benefit till harvest. This may be the reason that their horses are not much larger than English colts—and their cows the size of their yearlings.[8]

On the other hand we have Governor Martin's opinion given twenty years later:

> Granville and Bute have great preëminence, as well with respect to soil and cultivation, as the manners and condition of the Inhabitants in which last respect the difference is so great, that one is led to think their people of another Region. These advantages arise I conceive from

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[4] L, 7.
[5] Sale of John Banks's estate, Granville County Record Book, I, 116.
[6] Boyd, W. K., *Byrd's Dividing Line Histories*, p. 159.
[7] *C. R.*, III, 49; Franklin, W. Neil, "Agriculture in Colonial North Carolina," *North Carolina Historical Review*, III, (1926), 545.
[8] *C. R.*, V, 2.

the vicinity of Virginia, from whence I understand many people invited by the superior excellence of the soil have migrated to settle in these counties.[9]

Bishop Spangenberg had traveled one hundred fifty-three miles over poor roads in vain search of a large tract of vacant land when he reached Granville County, and doubtless his lack of success caused him not to be very enthusiastic concerning the surrounding country. Then, too, his knowledge of farming was mainly derived from the Germans who even now, in the Germantown section of Pennsylvania, have finer crops and sleeker cattle than those of most Southern farms. Be that as it may, there were in Granville at the time of the bishop's visit persons with holdings of three or four slaves, as many as twelve horses, and twenty-four cattle.[10] Three years later there were farms stocked with five horses, twenty-eight cattle, and sheep and hogs.[11] We may assume, therefore, that agriculture had reached a stage of some importance within five years after the county's official beginning.

A newcomer had much work to do before he could begin to harvest a crop. As a usual method of procedure in the piedmont section of North Carolina, the settler cleared a piece of land and built a house with the logs which he cut from the clearing. Some of the trees were afterward used for making rails, while the remaining ones were barked for two or three feet so that they would die. The dead trees were left standing[12] and the land soon became covered with grass. The turf of grass was then plowed under with a one-horse plow. Indian corn, peas, beans, or wheat were sown[13] for perhaps two or three years, when the worn-out land was abandoned for new tracts. In this fashion land was cleared, tended, exhausted, and abandoned in a regular cycle.[14]

The Granville farmer's tools in 1761 were varied. He had axes, grindstones, and sufficient implements to produce a crop

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9 *Ibid.*, IX, 349.
10 B, 27.
11 C, 7.
12 Moore, John W., *History of North Carolina, From the Earliest Discoveries to the Present Times*, (1900), p. 90.
13 Franklin, W. Neil, "Agriculture in Colonial North Carolina," *North Carolina Historical Review*, III (1926), 546.
14 *Ibid.*, 547.

of corn and to make hogsheads.[15] By 1770, tools were quite plentiful; there were reap hooks, plows, hoes, plow shares, weeding and hilling hoes, and cross-cut saws.[16] In addition to these there were Jack plows, handsaws, drawing knives, adzes, wagons, and harness.[17] The broad ax, a large auger, and the claw hammer were also a part of the farmer's equipment.[18] That many of the farms of colonial Granville were almost wholly self-sufficient is proved by the presence of other implements, like a set of smith's tools, shoemaker's hammer,[19] awls, nippers, gimlets, chisels, fish gigs,[20] carpenter's tools, cooper's tools, and a complete set of shoemaker's tools.[21]

With these implements he produced almost the identical crops made today though, of course, not with so much ease. Probably the most common crop was Indian corn. In 1752 Bishop Spangenberg remarked that very little was done on the plantations but raise Indian corn.[22] In July one farmer had a fodder stack, growing corn, and fifty barrels of Indian corn,[23] which was an unusually large supply for that season of the year.

Wheat is scarcely, if ever, referred to in the Granville records. It must have been a common crop, however, because Governor Tryon in May, 1771, made a requisition[24] of the Hico settlement for sixty barrels of flour and of the Grassy Creek settlement for twenty barrels. He intended to use the supply on the march against the Regulators. To expect eighty barrels of flour from two small communities before harvest time implied that wheat was a general crop throughout the county.

Tobacco was grown in Granville County as early as 1751, probably not for commerce, but for domestic use and the payment of parish and county taxes.[25] In an action for debt before the Granville County court on May 10, 1763, the plaintiff, John Person, was awarded a sum of money and one hundred forty-five pounds of tobacco which was valued at twenty-two pounds, fifteen shil-

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15 E, 429.
16 Inventory of Thomas Lowe's estate, Granville County Record Book, I, 79.
17 *Ibid.*, I, 61; K, 262.
18 Inventory of Thomas Lowe's estate, Granville County Record Book, I, 63.
19 K, 271.
20 Inventory of George Whitlock's estate, Granville County Record Book, I, 63.
21 *Loc. cit.*
22 *C. R.*, V, 3.
23 IJ, 215.
24 *C. R.*, VIII, 715.
25 *C. R.*, IV, 1276.

lings, and four pence.[26] Tobacco was also grown and sold in the county in 1767, when it cost more than seven pounds for hauling, inspecting, and ferrying four hogsheads to Petersburg, Virginia.[27] Whether or not it was sold by the farmers before 1762 is uncertain, since Virginia had a law against bringing Carolina tobacco into Virginia whereby one half was to be forfeited to the Queen and the remainder would go to the one who did the reporting. Since the law was adopted in 1705[28] and repeated in 1726, it could have been unenforced or rescinded before Granville's formation. Bishop Spangenberg, writing in 1752 under a Granville County date line, stated that "Tobacco is raised in considerable quantities but it is generally taken to Suffolk or Norfolk in V. Here it is examined by the Inspectors —i.e. the officers appointed for that purpose; all that is merchantable is selected—the remainder is *burnt.* The Va. merchants ship that which is fit & pay the Ca. farmers what they please for their tobacco."[29] According to Lord Adam Gordan, the tobacco industry just before 1764 had evidently been in a flourishing condition in the vicinity of Halifax: ". . . and you cross Tar River and Several Creeks before you come to Roanoke on which is Halifax, a small and pretty place and was thriving before Tobacco fell, but is now falling off."[30] Halifax drew heavily on Granville as a source of supplies;[31] and beyond a doubt, the failure of any industry that would affect Halifax so seriously would also affect Granville.

Evidently there was quite a drop in tobacco prices from 1762 to 1771. In 1762 it was selling at the rate of seven pounds of tobacco for one pound sterling, but in 1771 eleven hogsheads of tobacco sold for only slightly more than ten pounds cash.[32] During the same year another farmer mentioned two thousand pounds of what was evidently a surplus supply of tobacco in his barn.[33] The growth of tobacco, then, was an industry in Granville as early as 1752, and was definitely established in 1762, but

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26 Granville County Records (1754-1770), p. 81.
27 Administrator's Account of John Sims's estate, Granville County Record Book, I, 50.
28 Hening, William Walker, (editor), *The Statutes at Large; Being a Collection of All the Laws of Virginia* (1619-1808), III, 253.
29 *C. R.*, V, 1, 2.
30 Mereness, Newton D., *Travels in the American Colonies* (1916), p. 403.
31 Collet, *Map of North Carolina* (1775).
32 Granville County Record Book, I, 119.
33 IJ, 215.

the crop had declined in importance even in 1764 when it was only a vestige of what it had been.

Fruit was a more important item in the life of the colonial citizen of Granville than is generally supposed. Early in the period deeds list orchards along with other valuable features of land, such as springs, minerals, forests, and houses.[34] In the description of a tract of land, 1760, reference is made to "a stump in Persons' Young apple Orchard,"[35] and one year earlier Peach Orchard Branch is mentioned;[36] consequently peach orchards must have been quite common for some time before 1759 in order to have such a named stream referred to as an established landmark. In 1773 a Granville citizen in giving a mortgage on his growing crops mentioned his peaches and corn as of equal importance.[37] Fruit was essential because of a diet which must have consisted largely of pork, beef, and corn bread. In winter the fruit was still consumed in the form of brandy. A citizen in 1761 listed eight cider hogsheads among his possessions.[38] Brandy at one time sold at the rate of four shillings per gallon.[39] In distilling the fruit juices the heaviest expense lay in the still and worm which sold for as much as twenty-two pounds and eleven shillings.[40] The only method of preserving fruits at that time lay in making brandy; and according to records, the greatest part of colonial Granville's strong drink consisted of brandy.

Cotton with an excellent staple was raised on some North Carolina farms for domestic use only.[41] Such was evidently the case in Granville. A stream named Cotton Patch Branch was used for identifying a tract of land as early as 1768.[42] Spinning wheels and cards[43] are mentioned occasionally in lists of property. The cards were used for straightening the fibre in order that the cotton might be spun into thread, after which it was ready for use in weaving the family's supply of cloth. Flax

34 H, 140; G, 361.
35 G, 152.
36 C, 630.
37 K, 262.
38 E, 429.
39 Granville County Record Book, I, 64.
40 True Account of the sale of the estate of Nicholas Holstein, Granville County Record Book, I, 92.
41 Martin, François Xavier, *The History of North Carolina, From the Earliest Period* (1829), p. 396.
42 H, 398.
43 Inventory of George Whitlock's estate, Granville County Record Book, I, 63.

was also raised as is indicated by the possession of flax wheels and hackles.[44] The production of these two articles gave occupation to women and children, and also to slaves.

According to the observant Bishop Spangenberg, the livestock industry was sadly neglected so that there was no milk during the winter months and little at other times. The fact that the inhabitants possessed butter pots and churns[45] indicates, however, that they had milk to some extent. The average cattle herd seems to have numbered about sixteen.[46] Quite frequently droves of hogs were larger. No accurate check was kept on the number bearing one man's brand, but the average size was from forty to fifty.[47] Sheep were also raised in large numbers and were found in the county quite early. The wool was used at home; for wool wheels were in use as early as 1755.[48] Some of the farms were also well stocked with horses from the very first; one farmer in 1752 possessed six horses and six mares.[49]

The production of livestock was not so simple as it appeared to Bishop Spangenberg. As an exact reversal of present-day conditions, stock was allowed to range loose, while growing crops of necessity had to be fenced in order to protect them from the cattle.[50] This had long been a problem, as appears from an act of the Assembly in 1715. By this law every planter was required to have around his cleared grounds a fence five feet high with not more than a four-inch space between the rails for the three feet nearest the ground. Unless these requirements were met, he could get no damage for any injury that another person's hogs or cattle might do to his growing crops. If the owner's fences were insufficient and he maimed any other person's live stock with a gun or dog, he was liable for damages.[51]

The seriousness of the livestock problem is clearly demonstrated from the court records. During a period of sixteen years, a total of 1,435 cases came before the county court, and of that number fifty-five per cent involved the trespass of livestock. In

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44 Sale of John Harris's estate, Granville County Record Book, I, 61.
45 Inventories found in Granville County Record Book, I, *passim*.
46 Granville Deed Books, A-L, *passim*.
47 E, 1.
48 C, 7.
49 B, 27; Granville County Deed Books, A-L, *passim*.
50 L, 8, 21.
51 *The State Records of North Carolina* (hereafter cited as *S. R.*), XXIII, 61, 62.

practically every case the plaintiff was awarded damages, and in remarkably few suits were the plaintiffs taxed with the costs and thrown on the mercy of the court for their "false clamour."[52]

Allowing the livestock to range loose introduced another complication in the form of brands, their registration, and meaning. Cattle and hogs were often stolen and the brand was often defaced, while unbranded animals were stolen and branded with the wrong mark. Therefore, all horses eighteen months old or older had to be branded, and likewise six-months-old hogs, while cattle one year old had to be ear-marked.[53] It was customary to brand horses on the flank and to mark hogs and cattle in the ear. Such marks were used as a crop and a hole in the right ear or "a swallow fork in the Left year & a nick under and over the Right year," or for horses an "L" or a stirrup iron on the flank.[54] Before Granville's formation, Robert Harris, a prominent citizen, used for his mark a crop in each ear; Edward Jones, a crop and a slit in the right ear and a crop and a half moon over the left; and William Eaton, a close crop in the left ear and a figure eight on the buttock.[55] All brands had to be recorded with the clerk of the court. Cattle brought in already branded had to be re-branded within eight months in the presence of two witnesses who were to sign a certificate to that effect. Any person who stole or misbranded another's livestock was fined for the first offense ten pounds proclamation money plus the value of the animal. For the second offense he was given forty lashes and branded with a "T" in the left hand by means of a red-hot iron, besides having to pay the fine again. For an Indian, slave, or mulatto the penalty for the first offense was to have both ears cut off, while for the second it was death.[56]

Since such names as Horsepen Branch,[57] Cowlick Branch,[58] Hogpen Branch,[59] and Pigpen Branch[60] were in use, one sur-

52 Statistics from Granville County Court Records (1754-1770).
53 *S. R.*, XXIII, 154, 167.
54 E, 429; L, 271, 120.
55 Marks and Brands of Edgecombe County, 1732-1809, (in North Carolina Historical Commission archives, Raleigh, N. C.).
56 *S. R.*, XXIII, 166-67.
57 E, 383.
58 G, 72.
59 K, 180.
60 D, 316.

mises that it was customary for the owner to put his livestock in a pen in the winter in order to feed them. There was a law relative to strange cattle getting into a man's cowpen.[61] In event a strange cow did get in, the owner of the pen was required to give public notice of the animal's marks at the parish church doors or in case there was no church, at the courthouse. The notice was to be given within one month, under penalty of twelve shillings proclamation money.

Granville farmers produced much livestock, but were hedged in by so many regulations that they had no easy time of it. The fact that more than half of the cases in court were connected with the livestock problem sheds light on its importance to the people.

Directly connected with the farmers were the millers, who found Granville County an ideal location. With Indian corn as the chief crop and with suitable streams in every locality, mills flourished in colonial Granville. The important function of the millers was recognized by the colony in exempting them from military service.[62] There were only two or three water mills in North Carolina at the time of Brickell's writing, which was just before 1737,[63] but by 1749 the grist mill had made its appearance in Granville.[64] From 1749 to 1776 there were forty-one separate mills casually referred to in deeds.[65] Of course, nothing like all of them were thus recorded, for all deeds were not registered, nor could all the mills have been mentioned in describing tracts of land. Men at that time had a keen eye for mill sites. In selling tracts of land, they sometimes reserved excellent locations for grist mills.[66] Evidently there was a supply of millstones in the county, which fact greatly lessened the cost of installing a grist mill,[67] and perhaps helped to account for the great number of mills.

The Assembly enacted an elaborate set of laws for the regulation of grist mills. Most of them were passed in 1758, nine years after the first mention of a mill in Granville. No matter

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61 *S. R.*, XXIII, 167.
62 Prefatory note, *C. R.*, V, p. xli.
63 Brickell, John, *Natural History of North Carolina*, (1737), p. 263.
64 A, 251.
65 Statistics based on Granville County Deed Books, A-L.
66 IJ, 297.
67 F, 488.

if a person owned the land on both sides of a stream, it was illegal to erect a public water grist mill without an order from the county court. Any mill which ground for toll was accounted a public mill.[68] This law concerning the necessity of a court order for building a mill seems to have been enforced in Granville.[69] In case a man owned the land on only one side of a stream and asked to build a mill, he cited the owner of the land on the opposite side to the county court, which designated four freeholders to set a reasonable value on one acre which the owner was then obliged to sell to the petitioner provided the acre took away no houses, gardens, or orchards. Mills on the same stream were required to be at least two miles apart. A person who had an acre condemned across from the place where he wished to build a mill was allowed only three years in which to build the mill.[70] The miller was also obliged to grind carefully, in turn, all grain carried to the mill. He was not allowed to take as toll more than one eighth of the wheat nor more than one sixth of the corn. In case he broke either of these regulations, he was to forfeit fifteen shillings to the person who was injured. The miller was required to keep accurate measures, which were to be stamped by the county keeper of the standard.[71] Such a widespread industry required strict regulations. The colonial miller must have been a man of means. His droves of hogs, sheep, and cattle could be kept in excellent condition by his steady supply of corn.

The making of tar is an industry which is not usually associated with colonial Granville, but all evidences point to the fact that it was an occupation there. Spangenberg says that tar was made in the vicinity, and Tarkill Branch on the east side of Smith's Creek was a landmark of colonial days.[72] It is certain that tar was made in northern Granville, and more than probable that it was hauled away in carts to Halifax or Edenton.[73] Tar skimmers were in the possession of Granville inhabitants.[74] Tar burning, then, was an occupation, but not of very much consequence.

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[68] *S. R.*, XXIII, 485.
[69] H, 375.
[70] *S. R.*, XXIII, 486.
[71] *Ibid.*, 487.
[72] E, 41.
[73] F, 320.
[74] Inventories of estates, Granville County Record Book I.

In addition to the trappers, farmers, millers, and tar burners, there were a number of merchants representing London, Scottish, Virginia, Halifax, and Granville firms.[75] There were two centers for the location of store houses. The chief one seems to have been near the present town of Oxford, between Oxford and Fishing Creek. There several different merchants held small and large tracts of land which they bought in advantageous locations, usually near or adjacent to one of their competitors.[76] The intersection at Harrisburg of Corbintown Old Road and the Main Road[77] was a particularly desirable location. There a store was operated by James Young and Company with headquarters in Halifax,[78] but in reality it belonged to the Scottish partnership which included a large number of merchants who traded in Granville.[79] These cautious Scotch traders came in and bought land contiguous to Hamilton and Company's property, after Hamilton and Company had made a decided success in that location.[80]

With an eye to the future, the copartnership of John Alston, Robert Carmichael, James Young,[81] James Morton, Alexander Grindlay, Andrew Miller, William Littlejohn, and George Alston in 1772 bought from a widow one third of her life-time interest in a tract of land on the east side of Fishing Creek.[82] No doubt the prudent merchants from Glasgow lived to regret that expenditure, because they probably received little return from it before the Revolution stopped their operations. This same copartnership carried on trade either in each individual's name, as James Young and Company,[83] as Robert Carmichael and Company,[84] as Young Miller and Company, or as John Alston and Company.[85] Their business was carried on in a strictly legal manner. Whenever power of attorney was given one of the partners, it was sworn to before the Lord Provost of Glasgow,

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75 Statistics from Granville County Deed Books, A-L.
76 F, 339; G, 355; H, 94; L, 123.
77 Collet, John, *Map of North Carolina.*
78 H, 94.
79 K, 156, 158.
80 H, 94; Granville County Trial Docket, 1764-1767, section on actions for the years 1764 and 1765.
81 K, 156.
82 IJ, 387.
83 IJ, 118.
84 Statistics from Granville County Deed Books, A-L.
85 IJ, 120.

and duly recorded in the books of the public register in Granville.[86] Some of the partners, of course, remained in Glasgow while others worked in America.[87] These merchants obtained judgments against their debtors, and, when the property was sold, usually bought it for much less than the amount of the original debt.[88] They also took mortgages on their debtors' property,[89] and thus became the owners of extensive tracts of land which they were continually trading and selling.[90] There is little reason to doubt that they were cordially despised by the people as a whole, for they had a strong grip on the property of the county and did not hesitate to use it for their own ends. All types of property were handled by the Scottish merchants, from land and slaves to "green handled pen knives, second hand or new."[91] Likewise, they were very careful of their "lawful interest always."[92] A good mill site rarely failed to attract some member of the firm, and soon it would be recorded as the property of the company.[93] Such absorption of the choicest property in the hands of these Scots was not calculated to make them popular.

By 1763 another prosperous Scottish company was conducting a store just west of Fishing Creek, very near the present town of Oxford.[94] Then Thomas Blount, an Edenton merchant, who had formerly belonged to the Scottish partnership of Young, Alston, and Carmichael, seeing their evident prosperity, bought two small tracts of land in the same vicinity.[95] In fact, he paid twenty pounds for one acre between Harrisburg, where the Hico and Taylor's Ferry roads intersected, which was another advantageous location.[96] Here the firm of Forsyth, Watson, and Company, also Scottish, bought in 1763 a tract of land which "included the forks of the Roads to Taylor's Ferry and to Halifax town,"[97] where they later built a store.[98] Somewhere in the

[86] IJ, 120.
[87] IJ, 118.
[88] H, 153; IJ, 399.
[89] K, 71; IJ, 411; K, 91.
[90] H, 137; IJ, 131, 397; K, 148, 156, 158.
[91] K, 89.
[92] K, 65.
[93] H, 287.
[94] F, 339.
[95] IJ, 123.
[96] F, 421; L, 81; Collet, John, *Map of North Carolina;* Buck, J. E., *Map of Warren, Vance, Franklin, and Granville.*
[97] F, 412; H, 71.
[98] K, 237.

same vicinity a store was operated prior to 1773 by Cannon and Taylor.[99] From contemporary records we judge that the earliest merchandising carried on in Granville was done about 1753,[100] and there is record of only three merchants who did business in Granville before the formation of Bute.[101] Hence the story of early merchandising has been confined to that section of colonial Granville now known as Vance and Granville counties.

Merchants experienced difficulty in getting their goods into the county; there was no other way than to use wagons and the miserable roads of the times. Six horses were required to pull loads, and evidently the wagoners who drove had lonely and somewhat dangerous roads to travel, for they usually possessed two guns.[102] Frequently a wagoner had one wagon and twelve horses,[103] which enabled him to rest one team of horses occasionally. The Scottish copartnership of Alston, Young, and Company evidently lost nothing from their wagoners, because they held mortgages on their land, wagons, and teams. The most frequently mentioned towns used by the colonial citizens were Halifax and Petersburg; it is not likely, however, that Granville's trade with Halifax was as important as that with Virginia towns.[104]

Some of the merchants were from Petersburg and other points in Virginia,[105] while others were from Halifax.[106] During this period there were as many as 46 merchandising firms which transacted business in Granville. From November, 1764, to August, 1767, there were 349 old and new suits instituted for debts due different merchandising firms operating in Granville County.[107] There are practically no indications that the colonial merchants went bankrupt. Aside from the above proof of flourishing business, if not stable trading, there was a vast amount of property which constantly fell into the merchant's hands, but which was immediately sold again.[108]

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99 L, 81.
100 B, 403.
101 C, 592; E, 59.
102 IJ, 411, 414.
103 *Ibid.*, p. 411.
104 *C. R.*, V, 322.
105 D, 384; F, 545; IJ, 286.
106 E, 64; IJ, 286.
107 Granville County Trial Docket, 1764-1767, *passim.*
108 Granville County Deed Books, A-L.

One serious drawback to the business of the county was the absence of a uniform standard of currency. Such a condition in a new agricultural community often causes trade to be carried on by barter, but apparently there was little of that done in Granville so far as the purchase of land was concerned. Some form of money was used in all the registered land purchases from 1746 to 1776.[109] From 1746 to 1751 no form of legal tender was used for purchasing land except Virginia money. The first proclamation money is recorded in 1752; thereafter it was used only three times until 1759, when fifteen per cent of the money used in buying land was proclamation money. In the vast number of land sales during 1760 proclamation money was used only ten times. Nor was it used to any extent until 1765. From that time on its use gradually increased until 1770, when it constituted about forty per cent of the legal tender used for land purchases. The proportion remained the same throughout the remainder of the colonial period. Perhaps Granville's proximity to Virginia and the fact that many Virginians were constantly coming into the county to buy land explains why the currency of this neighboring province was so largely used.[110]

Other types of money occasionally crept into circulation, but they were the exception rather than the rule. Quite often the English pound sterling was used.[111] Occasionally a Spanish coin, the pistole, fell into some settler's hands and was used in the purchase of land.[112] It is evident that coin was weighed and the value carefully estimated, because frequently people with large farms or businesses had money scales; and one rather wealthy planter of the time was known to possess two.[113] Public bills of credit of the province were also used in Granville.[114] According to the quit rent requirements in the Granville district, the ratio between proclamation money and English money until 1755 was one to three;[115] but from that date until the closing of Lord Granville's office, there was no alternative in the type of currency that could be used in paying quit rents, for the fees were required to be in sterling.

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109 *Loc. cit.*
110 Granville County Deed Books, A-L.
111 H, 511; Granville County Deed Books, A-L.
112 B, 435.
113 Inventory of Thomas Lowe's estate, Granville County Record Book, I, 78.
114 *C. R.*, VIII, 539.
115 C, 315, 266.

Virginia money was also much more stable in value than proclamation money, as was indicated by its greater frequency in circulation. It was accepted in 1770, "or in lieu thereof proclamation money at thirty-three and one third per cent." In 1770, Virginia money had the same face value that English money had had in 1755, though the two did not necessarily have the same value in 1770. Virginia money, then, was the regular stablized currency of the county.[116]

It is seen, therefore, that there were in circulation in colonial Granville seven different types of money including unminted gold and silver, Virginia money, Spanish pistoles, English money, proclamation money, and public bills of credit for North Carolina. This situation undoubtedly led to confusion and helped the Scottish merchants to gain much property from the people, who as a rule were untrained in estimating values in the different forms of money.

No doubt so many types of money caused the government much concern with respect to counterfeiters. In 1766 a bill was introduced into the Assembly for the suppression and punishment of counterfeiters of the paper currency of North Carolina and Virginia.[117] Five years later a colony-wide problem had come to a head in Granville when various persons had been charged with making and passing counterfeit proclamation money and public bills of credit. Two men were scheduled to appear for trial at Hillsborough during the Regulator scare which caused the postponement of the court. In the meantime the Granville justices examined witnesses and declared the accused guilty. It was such a serious matter that one of the justices thought a special court should convene in Oxford in order that the offenders might not elude justice.[118]

Now and then among the farmers and merchants there appeared men of other trades. There were numbers of carpenters, who were necessary where so much building had to be done. Apparently carpenters began taking up land[119] in the county as early as the farmers did. All the landholders who were designated as carpenters were settled by the end of the first half of

116 IJ, 174.
117 *C. R.*, VII, 301.
118 *Ibid.*, VIII, 539.
119 A, 31.

the colonial period.[120] Closely allied to the business of the carpentry was the trade of the joiners who came almost as early as their brother tradesmen. A number of saddlers also found their way into the county,[121] where they could follow their trade with success, due to the fact that most of the traveling was done on horse back. Blacksmiths also found opportunity for their trade just as the saddlers did.[122] There were also haberdashers,[123] tailors,[124] weavers,[125] bricklayers,[126] coopers,[127] wheelwrights,[128] and one silversmith.[129]

From the picturesque huntsman of Byrd's sarcastic wit to the busy haberdasher of the latter part of the colonial period lies a greater gap than is generally realized. Vast changes had occurred in the generation from 1746 to 1776. In a much more rapid fashion than is commonly understood, the trapper in his lean-to was superseded by the farmer who industriously, though very laboriously began to build houses and clear and fence land. Gradually accumulating a supply of farming tools that included wagons, plows, saws, axes, hoes, and other necessary implements, the farmer forged on. His products, at first consisting of Indian corn and half-wild hogs, came to be more numerous and his means of producing them more complicated. Orchards called for expert care and brought about another small industry in the form of barrel making, which required skill on the part of the cooper. The high-priced still and worm for distilling brandy required work and ingenuity on the planter's part. As tobacco production became important there was much more to learn. Stock raising was very important, but poorly managed. Farming was the chief occupation for the inhabitant of colonial Granville.

In the stride of colonial progress the coming of the miller was of inestimable importance. He changed the very commonplace Indian corn from a mere sustenance to a decent food for man. Such a transformation of the staple crop was of great impor-

120 Granville County Deed Books, A-L.
121 B, 107, 371, 463; C, 324, 531.
122 A, 307; B, 237; D, 166; F, 172.
123 A, 296; B, 319, 413.
124 D, 80; F, 287.
125 C, 595; H, 184.
126 D, 17; IJ, 145.
127 E, 97.
128 B, 152.
129 IJ, 111.

tance to the Granville people at that time. The tar-burning business amounted to very little in Granville because it was too difficult to market the finished product. With the entry of the Scottish merchants one can be assured that the county had been prospering; they did not enter poor sections. Their wagoners hauled out Granville products, brought in manufactured products, and thus removed some of the drudgery of farm life by assuming the responsibility of making long trips to market. The merchant also livened business by furnishing competition not only in the sale of goods, but also in land trades and bargains of every description. Perhaps the greatest handicap to the general improvement of industry was the lack of a uniform system of currency. Faced with several types of money, each having a different unit, the colonial citizen had to stay on the alert to be able to trade advantageously.

Present among the hunters, farmers, millers, tar burners, and merchants were the carpenters, joiners, coopers, bricklayers, saddlers, haberdashers, tailors, and the lone silversmith, each of whom was called on to contribute his part in transforming Granville County from the backwoods of William Byrd's description to the prosperous community of Governor Martin's delineation.

LOUISIANA POLITICS AND THE "GRANDFATHER CLAUSE" †

By William Alexander Mabry

Contrary to a rather general impression, the culmination of the Southern fight to disfranchise the Negro did not come until the last decade of the nineteenth century and the first of the twentieth. The end of Reconstruction saw the restoration of native white control in each of the Southern states, but very considerable numbers of Negroes continued to vote. In order to prevent a return to Reconstruction conditions, the great majority of the whites voted Democratic year after year; the Democratic party became identified as the "white man's party." Also, the whites did not hesitate to resort to political chicanery and occasional violence in order to curb the political power of the Negroes. Thus the situation remained for approximately a quarter of a century. Why was this system of control abandoned for wholesale disfranchisement of the Negroes by constitutional amendment? The answer lies in an examination of the local politics of the various Southern states. Louisiana furnishes a good example.

In the first place, the Democratic system of control pre-supposed the continued solidarity of the "white man's party." But ultimately other issues than the race question became paramount. Low prices of agricultural products led to the Farmers' Alliance movement in the 1880's and to the organization of the national Populist party in 1891. Though reluctant to sever their traditional party ties, many Louisiana farmers sought economic relief under the Populist banner in 1892. Thus the "white man's party" was split asunder.

The economic discontent was not entirely responsible, however, for the disruption of the Democratic party in Louisiana. For some time friction had existed between the Democrats of the white parishes and their fellow partisans of the black parishes. Representation in party conventions was apportioned on the basis of the vote cast by each parish in the previous election. A

† This article is based on a part of The Disfranchisement of the Negro in the South, the author's unpublished doctoral dissertation in history at Duke University, accepted by the Graduate School of Arts and Sciences in 1933.

large vote was always returned from the black parishes, whether the Negro vote was actually cast or not. Hence, the whites of the black parishes really controlled the party conclaves, and the governor was accused of giving the choicest political "plums" to the black parishes.[1] Very significantly, the Populist movement was strongest in the white parishes. "Bourbon" control of state politics was being assailed by the small farmers.

The Louisiana state election held in April, 1892, was characterized by confusion. There were "Lottery" and "Anti-Lottery" Democrats, "Leonard" and "Warmoth" Republicans, and Populists in the field. Of the several gubernatorial candidates, Murphy J. Foster, the "Anti-Lottery" Democrat, was elected.

Between the state election in April and the national election in November, the political set-up changed very materially. The contending factions within the Republican party patched up their differences and effected a fusion with the Populists. According to the fusion agreement, each party was to maintain its own political principles but share the places on a combination Populist-Republican ticket. Expediency was obviously the motive for fusion; practically the only common bond between the two parties was the wish to supplant the Democrats in power.

The fusion of the Louisiana Populists and Republicans in 1892 was doubly significant. Not only did it weld together the strongest opposition party which had confronted the Democrats since Reconstruction, but it also gave rise to what was destined to be a far-reaching movement for suffrage reform. The close political contests brought into bold relief the suffrage abuses which had been practiced freely for the past two decades. The indiscriminate cheating of the Negroes by the whites at the polls had led to a definite lowering of the political morality of the State. Now the rival political parties, almost evenly divided in strength, were prone to use dishonest tactics in their relations with each other. Also, politicians on both sides were not above appealing to the Negro vote. This thrusting of the Negro into political prominence was not desired by the mass of white people of the State, whether Democrats or Populists. Consequently, a movement soon gained headway to restrict the suffrage in such a

[1] White, Melvin J., "Populism in Louisiana During the Nineties," *The Mississippi Valley Historical Review*, V (1918), 3-7.

fashion as to eliminate the great majority of Negro voters. The attitude of the two parties may be compared to that of two nations engaged in a disarmament conference.

The delays and obstacles encountered in the progress of the movement for suffrage reform are likewise suggestive of disarmament proceedings. On July 2, 1892, a concurrent resolution of the General Assembly empowered the appointment of a commission whose duty it would be to study the state constitution and recommend to the General Assembly a specific suffrage amendment. The commission did not render its report until the next session of the legislature, in 1894. On May 16, Chairman Charles Kilbourne laid before the House of Representatives the proposed constitutional changes. "We have reached a point in the history of our state," the report declared, "when it has become a matter of absolute necessity that a radical change should be made in the qualifications of the voter."[2] A constitutional amendment was recommended which specified that future voters in Louisiana must pass an educational test or own two hundred dollars worth of property, and, in either case, must pay a poll tax in advance of registration.[3] These requirements were obviously aimed at the Negro, since he was less apt than the white man to be able to meet the educational and financial qualifications.

The New Orleans *Times-Democrat* did not favor the calling of a constitutional convention, "with the wildest Populist ideas so prevalent." However, it did favor the adoption of the suffrage amendment proposed by the commission. In addition, it sounded a call for an honest election law. "We have had enough of dishonest election methods in Louisiana, of returning boards and revolutions, riots and disturbances, to warn us of the necessity of an honest and thorough election law, one that will leave no chance of fraud."[4]

This appeal for a new election law was endorsed by the state press convention, and ballot reform leagues were organized in various parts of the State. A wide public interest in the movement for suffrage reform seemed to be developing. "Yet,"

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[2] *The Times-Democrat* (New Orleans), May 10, 1894.
[3] *Ibid.*
[4] *Ibid.*, May 27, 1894.

warned *The Times-Democrat,* "this reform is being opposed, in secret generally, by members of the Legislature and others in authority under the belief that honest elections will stand in the way of their return to office."[5]

The Legislature of 1894 responded to the appeal for a new election law with a statute which differed in no important respects from the one under which the Democratic leaders had been accustomed to operate. In disgust, *The Times-Democrat* dubbed it "a farce, an insult to the people, and a mockery of their demand for ballot reform."[6] On the other hand, the Legislature did accept, in a limited form, the recommendations of the Suffrage Commission. A suffrage amendment embracing literacy and property-holding requirements for voting but omitting a poll tax prerequisite was submitted by the Legislature to the voters of the State at the next general election, in 1896. Incorporated in the article, too, was a provision that any portion of the suffrage amendment might be amended by a two-thirds vote of the General Assembly at its regular session in 1896 without further submission to the people.[7] The Democratic leaders in the Legislature were not burning any bridges.

Unfortunately for the success of the suffrage amendment, it was allowed to lie on the shelf from 1894 to 1896. The popular enthusiasm which had been aroused when the measure was passed by the Legislature had largely been lost by the time the amendment could be voted on. Furthermore, the state election of 1896 promised to be a very close one, and the matter of first importance to the politicians was to get votes rather than to secure suffrage reform. When one's office was at stake, a black vote was just as valuable as a white one.

Captain Pharr, the Populist-Republican candidate for governor, first made an open bid for the Negro vote. During the course of a speech in Washington Hall in New Orleans on March 3, 1896, Pharr berated the Democrats for their fears that the Negroes would overrun the State:

> Now I was raised with the nigger . . . and I never found him a bad man. I found him a good laborer and as honest as most men. If he

[5] *Ibid.*, May 29, 1894.
[6] *Ibid.*, June 27, 1894.
[7] *Ibid.*, April 5, 1896.

has cut a bad figure in politics we are to blame for it. He was brought into this country a savage, and all he knows we taught him. He learned all his badness from the white people.[8]

The Democrats officially decried Pharr's appeal to the Negro vote. Seeking to re-elect Governor Murphy J. Foster, they drew the color line and championed the suffrage amendment which was intended to disfranchise the Negroes. There were frequent references to "Negro domination" and "white supremacy."[9]

It was observed as the campaign progressed, however, that the Democrats were not united in this policy of drawing the color line. There were Democratic politicians who were quite as anxious for the Negro vote as was Captain Pharr. Said *The Times-Democrat:* "We have more Negro in the present campaign than at any time since 1876. . . . The candidates, Democrats as well as Republicans, are bidding for Sambo's support, promising office, money, or the defeat of the amendments. . . ."[10]

Former Governor Samuel D. McEnery was one of the leading champions of the suffrage amendment. He regretted that the Negro once again occupied the center of the political stage and urged the necessity of eliminating him from politics. He, too, sensed the opposition to the suffrage amendment which was developing within the Democratic party. The politicians, he said, were simply afraid of the Negro voters. "There is not in the whole state, with few exceptions, the moral courage to insist upon the adoption of the proposed constitutional amendment, regulating suffrage."[11]

The "machine" opposition to the amendment seems to have centered in New Orleans. There a small coterie of politicians, headed by Mayor John Fitzpatrick, ran the city government and exercised a very considerable influence on the state government. It was hinted that Governor Foster was in close touch with this group.[12]

The Democratic committee of the parish of Orleans, consisting of this group of "Regulars," met in the rooms of the Jefferson Club in New Orleans on the evening of April 13, and decided to

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[8] *The Times-Democrat*, March 8, 1896.
[9] *Ibid.*
[10] *Ibid.*, April 6, 1896.
[11] *Ibid.*, April 3, 1896.
[12] *Ibid.*, April 7, 15, 1896.

have all the regular Democratic tickets, to be distributed by the committee, printed "Against the Amendment."[13] This abandonment of the Democratic platform can, no doubt, be explained by the reluctance of the New Orleans ward bosses to see their illiterate Negro and immigrant allies disfranchised by the amendment.

The citizenry of New Orleans, however, did not stand solidly behind this type of leadership. Democratic reformers in the city, early in the campaign, organized a "Citizens League" and set out to beat the "Regulars" in the municipal election. Walter C. Flower was put forward as the Reform candidate for mayor of New Orleans.

From various parts of the State came complaints of being "boss ridden." *The Shreveport Caucasian* did not mince words:

> The North Louisiana Democracy is weary of being the 'catspaw' for the monkeys in New Orleans, who are ever clamoring and claiming all the chestnuts in the political bag. This is plain talk, and is plain because a show of hands is demanded. What care the New Orleans politicians and time-servers for the suffrage amendment?[14]

The election on April 21 proved that the apprehensions entertained by the supporters of the amendment were not groundless. The returns gave Foster, the Democratic candidate, the governorship, while the suffrage amendment, a Democratic measure, was voted down. In New Orleans, however, the "Regulars" were beaten, and Walter C. Flower, the "Citizens Leaguer," superseded Fitzpatrick as mayor. Likewise, a number of "Citizens League" Democrats were elected to the Legislature.[15]

An analysis of the election returns reveals several significant facts. The Democrats came nearer losing control of the state government than at any time since 1876. Foster, it is true, received a "safe" majority, but the Democrats lost nineteen of the twenty-five white parishes. Expressions of the press regarding the "machine" politicians had been indicative of the mood of a great many former Democrats who now rebelled against "Bourbonism." Also, a very considerable number of those who re-

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[13] *Ibid.*, April 14, 1896.
[14] Quoted in *The Times-Democrat*, April 7, 1896.
[15] *The Times-Democrat*, April 22, 1896.

mained loyal to the party were determined to force the hand of the administration which they blamed for the defeat of the suffrage amendment.

Even before the election, *The Times-Democrat* had predicted that the defeat of the amendment would only insure its passage in another way, "one that will prevent the politicians from trading it off for Negro votes. . . ."[16] Now there appeared insistent demands for a constitutional convention to deal primarily with the suffrage question.

The political situation played directly into the hands of the reformers. The Populists and Republicans charged that Foster's reported majority of 26,000 votes was based on fraud and asserted that actually Pharr had been elected governor. The Legislature was asked to go behind the returns. It so happened that the "Citizens League" Democrats held the balance of power. When the Legislature of 1896 assembled in May, it was found that of the ninety-eight members of the House, the "Regular" Democrats could claim only forty-nine, and that the rest were "Independent" Democrats, "Citizens League" Democrats, and Fusionists. In the Senate, the "Regulars" had a majority of two[17]—not enough margin to risk going behind the election returns.

On May 13, the "Citizens League" legislators held two conferences with Governor Foster, at which time they presented the demand "of the white people of the whole state save a little coterie of officeholders" for the passage of an honest election law and for a constitutional convention to deal with the suffrage question. But the governor was unwilling to accede to their demands.[18] Again the "Citizens Leaguers," under the leadership of Charles E. Fenner of New Orleans, pressed their demands. On the morning of May 14, Governor Foster yielded and agreed to support the calling of a constitutional convention. Promptly, the Legislature refused, by a vote of eighty-seven to forty-seven, to go behind the election returns. Murphy J. Foster was declared governor, but the "Citizens Leaguers" had obtained a pledge from him "all the more binding because he could

[16] *The Times-Democrat*, March 11, 1896.
[17] *Ibid.*, May 16, 1896.
[18] *Ibid.*, May 15, 1896.

never have occupied the executive chair had not a majority of the League put him there."[19]

Responding to the pressure of public sentiment as expressed through the press and in the recent election, the Democratic caucus in the General Assembly voted on June 9, in favor of a bill submitting the question of a constitutional convention to popular vote in January, 1898. Again the administration leaders were accused of conspiring to kill the movement for suffrage reform by "the old trick of delay."[20] Nevertheless, the bill became law.

Another "Citizens League" demand had been for an impartial election law. Here, too, the administration forces did some sidestepping. The Australian ballot system was to be applied only in cities of ten thousand or more inhabitants, and the control of election machinery was left largely in the hands of the governor.[21] Commented *The Times-Democrat:* "It throws no genuine protection around the ballot. . . ."[22]

The suffrage question was now relegated to the background until January, 1898. During this interregnum, important political changes took place. Bryanism and "free silver" lured most of the Louisiana Populists back into the Democratic fold in the fall of 1896. Hence, the intense partisan rivalry which had characterized the state election of 1896 was almost entirely lacking when the convention issue came to be voted on in 1898. The chief dangers to suffrage reform now were public apathy and the possibility of renewed opposition from the politicians within the Democratic party.

In an effort to overcome the former hazard, the advocates of suffrage restriction called meetings, made numerous public speeches, and in other ways sought to arouse enthusiasm for "white supremacy." Said Senator Samuel D. McEnery:

> It was a crime to have given the suffrage franchise and political power to such an element of the population [the Negroes]. It is a duty to remedy that evil and withdraw from it a power so dangerous to society and civilization. It is a crime when so great an evil can be cured not to do it.[23]

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[19] *Ibid.*, May 17, 1896.
[20] *Ibid.*, June 10, 1896.
[21] *Ibid.*, June 19, 1896.
[22] *Ibid.*, May 17, 1896.
[23] *The Daily Picayune* (New Orleans), Jan. 3, 1898.

A considerable majority of the votes cast in the general election of January 11, 1898, was favorable to the calling of a constitutional convention. Yet, comparatively little interest was manifested in the election. The decision to call the convention may be attributed less to a large Democratic vote than to "the lukewarmness and utter demoralization of the enemy."[24] The members of the convention, elected on January 11, were all Democrats, with the exception of one Populist and one Republican.

The Republicans put little credence in the notion that the Democrats were about to experience a change of heart and put an end to intimidation and election frauds. Said the New Orleans *Daily Item,* a Republican newspaper:

> *The Item* remains firmly of the opinion, that whatever the suffrage and election clauses of whatever constitution the convention may adopt their intent and purpose will be to perpetuate the power of the office-holding class of Democracy . . . mark our words for it, the suffrage and election clauses of the new constitution will be so framed and phrased that in the event of the threatened overthrow of Foster's minions the election machinery will be used and can be used constitutionally, to violate the will of the majority of voters.[25]

Another opposition paper, the Populist *Monroe Bulletin,* sneered at the Democratic program of "redeeming the State":

> Redeemed from what? The Democrats have been in undisputed control of the destinies of Louisiana for twenty-three years, nearly a quarter of a century. . . . If at this late date Louisiana needs 'redeeming' it is because the Democrats need turning out, at least, it stands to reason that the old set must be replaced by new blood.[26]

However much the Republicans and their few remaining Populist allies may have distrusted the Democrats, they seem not to have been really averse to the disfranchisement of the Negroes. They did not believe the Negro vote to be so great an evil as the Democrats pictured it, but, as *The Daily Item* expressed it, "the great mass of the people who abhor election manipulation are disposed to approve any honest and earnest method of ridding our political conduct of the excuse for vulgar election thefts."[27]

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[24] *The Times-Democrat,* Jan. 12, 1898.
[25] *The Daily Item* (New Orleans), Jan. 13, 1898. *The Daily Item* is listed in the Library of Congress check-list as "Republican," though it refers to itself as "Independent."
[26] Quoted in *The Daily Item,* Jan. 17, 1898.
[27] *The Daily Item,* Feb. 9, 1898.

On February 8, 1898, the constitutional convention assembled in New Orleans. It was generally recognized that the chief purpose of the convention was to disfranchise the illiterate Negroes. The Democratic party had committed itself to such a program, and there was no organized opposition to the Democracy in the convention. The roll shows that the only "dissenters" were B. W. Baily (Populist), a newspaper editor of Winn Parish, and J. Deblieux (Republican), a manufacturer of Iberville Parish.[28]

Chairman E. B. Kruttschnitt of Orleans sounded the keynote in his opening address to the convention:

> In the first place, my fellow citizens, we are all aware that this convention has been called by the people of the state of Louisiana principally to deal with one question . . . to eliminate from the electorate the mass of corrupt and illiterate voters who have during the last quarter of a century degraded our politics. . . .[29]

With its goal thus set, the convention began seeking satisfactory legal means of disfranchising the "corrupt and illiterate voters." General T. F. Bell, "the old war-horse from Caddo," was named chairman of the Committee on Suffrage and Elections. Among those appointed to serve with him were Charles J. Boatner of Orleans and Judge Thomas J. Kernan of East Baton Rouge. The New Orleans "machine" was represented on the committee by John Fitzpatrick, the former mayor, and Peter Farrell.[30]

Before attacking its assigned problem, the suffrage committee secured a statement of the registered voters of the State as of January 1, 1898. It was found that of the 87,240 registered voters, approximately 74,000 were white, and 13,000 were colored. In round numbers, 68,000 of the registered whites could write their names, and 6,000 could not. Among the Negroes, the percentage of illiteracy was much higher. Some 7,500 could write their names and 5,500 could not.[31]

The Louisiana convention had ample precedent for discrimination against the Negro. Mississippi, in 1890, and South Carolina, in 1895, had disfranchised the bulk of their Negroes by the

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[28] Louisiana Constitutional Convention, 1898, *Journal*, Appendix.
[29] *Ibid.*, pp. 9, 10.
[30] *The Daily Picayune*, Feb. 12, 1898.
[31] Louisiana Constitutional Convention, 1898, *Journal*, opposite p. 42.

adoption of constitutional amendments embracing literacy tests and tax-paying requirements for voting. In each case, the device used to prevent the disfranchisement of the illiterate whites was the "understanding clause"; a person who was unable to read might qualify as a voter if he could understand a section of the constitution when read to him. This, quite obviously, placed great discretionary powers in the hands of registration officials. The result was that generally the white man could "understand," and the Negro could not.

An early move was made by C. J. Boatner of Orleans to adopt a suffrage ordinance embracing the "understanding clause," but many members of the convention felt that this scheme gave too much power to the registrar and opened the way for fraud.[32]

Another suggestion was that the registration of 1897 be used as the basis of a permanent registration, persons so registered being exempt from literacy tests for voting. Governor Foster and his supporters were said to have championed this plan as it gave the whites, and incidently their faction, a clear majority. But *The Times-Democrat* objected that the registration lists of 1897 had been fraudulently packed and had no place in a plan for suffrage reform. Furthermore, the adoption of the registration of 1897 would surrender the four black parishes of Concordia, St. James, St. John, and Tensas to the Negroes, and this was not in keeping with the wishes of the "white supremacists."[33]

The plan which was to prove most significant was that proposed by Edward T. Weeks, who was not a member of the convention. The original "Weeks plan" provided for registration without question of all who were voters in any state of the Union prior to January 1, 1868. All others were to be required to pass an educational test and own a minimum amount of property in order to vote.[34] Such a plan would eliminate most of the Negroes from the electorate, since a negligible number had voted before 1868 and comparatively few were both literate and property holders. But unquestionably this plan would also sacrifice some white voters.

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[32] *The Daily Item*, Feb. 16, 1898.
[33] *The Times-Democrat*, Feb. 16, 1898.
[34] *The Daily Picayune*, March 7, 1898.

The "Weeks plan" was quite favorably regarded by the suffrage committee until a committee of lawyers expressed the opinion that it was probably unconstitutional. The majority sentiment then seemed to swing back to a temporary "understanding clause" followed by a straight-out educational and property qualification.[35]

Meanwhile, the reformers were beginning to call for a restriction of the governor's power to appoint election officials. It was asserted by no less a person than Senator Samuel D. McEnery that the appointive system had been instituted in the first place simply to count in the Democrats. Now there was no reason why the voters themselves should not choose their own election officials.[36]

Governor Foster certainly did not add to his popularity by seeking to control the actions of the convention. In spite of the fact that he was not a member of that body, the governor appeared day after day on the floor of the convention hall and took part in the process of constitution making. His apparent purpose was to prevent the adoption of measures which would tend to weaken his own faction. The New Orleans *Daily Item* very bluntly suggested that "it is time that either the convention adjourns its labors or that our gracious governor hie himself to the state capitol and attend his sworn duties."[37]

While the suffrage committee was groping toward a constitutional means of disfranchising the Negroes, leaders of the colored race were issuing pleas for a just and impartial application of any suffrage limitation which might be imposed. Booker T. Washington, the clear-sighted Negro educator of Alabama, made use of the press to convey his message to the white people of Louisiana. He wrote in part:

> The Negro does not object to an educational or property test but let the law be so clear that no one clothed with state authority will be tempted to perjure and degrade himself by putting one interpretation upon it for the white man and another for the black man. . . . I beg you, further, that in the degree that you close the ballot box against the ignorant that you open the school house. More than half of your state are Negroes. No state can long prosper when a large percentage of its

[35] *Ibid.*, Feb. 25, 1898.
[36] *The Daily Item*, Feb. 20, 1898.
[37] *Ibid.*, Feb. 26, 1898.

citizenship is in ignorance and poverty and has no interest in the government. I beg of you that you do not treat us as an alien people. We are not aliens.[38]

On February 24, a few days after Washington's letter appeared in the newspapers, the suffrage committee of the convention granted a hearing to a committee of Louisiana Negroes headed by T. B. Stamps. D. W. Boatner was the spokesman for this colored committee. The substance of their petition was essentially the same as that of Washington. They agreed that a qualified suffrage might prove a remedy for the demoralizing practices of the past. The Negroes felt "that if there is an honest test and the Negro can not come up to it, he has no cause for complaint." But they asked that they be given an equal opportunity with the whites in meeting the requirements of the law.[39] The reception given this petition of the Negroes was courteous, but there is no evidence that it had the slightest weight in determining how the new suffrage clause was to be worded or applied.

After a consideration of numerous plans, the suffrage committee turned once more to the "Weeks plan," despite doubts as to its constitutionality. A sub-committee, consisting of Chairman Bell, Fitzpatrick, Moore, Sanders, Thornton, Snyder, and Kernan, was named to draft a suffrage amendment along the lines suggested by Weeks. On March 1 its report was rendered. It recommended that one seeking to register for voting must first prove his ability to read and write, or be the owner of property valued at three hundred dollars in his own or his wife's name, or belong to the special class of permanent voters described in section 5 of the report. This class of permanent voters was to consist of all who were registered voters on January 1, 1868, "legitimate male descendants of such persons," and persons of foreign birth naturalized prior to the adoption of the constitution of 1898.[40] No poll tax prerequisite was included.

The absence of a poll tax requirement was a great disappointment to many members of the convention who regarded this as one of the best means of eliminating the Negro vote. The New

[38] *The Daily Picayune*, Feb. 21, 1898.
[39] *Ibid.*, Feb. 25, 1898.
[40] *Ibid.*, March 2, 1898.

Orleans *Picayune* explained this significant omission from the suffrage amendment as being a concession to the New Orleans ward bosses who were "unalterably opposed to a poll tax, because they know it means their requiem as political leaders."[41]

Though critical of the committee's failure to include a poll tax requirement, *The Picayune* otherwise approved of the first draft of the suffrage amendment. In contrast, *The Times-Democrat* condemned the document as being a "miserable and indefensible scheme offered the state as the great reform upon which is to rest good government, honest politics, and white supremacy." The editor ridiculed the "squaw-voter" [one entitled to vote because of his wife's ownership of property] and "that monstrosity and absurdity, the hereditary voter." Naturalized foreigners were to be made permanent voters only for the benefit of the political bosses, it was asserted.[42]

Paradoxical as it may seem, the Republican *Daily Item* endorsed the amendment and expressed its conviction that the committee "was as a whole determined to deal honestly with the suffrage question" and that fraud would go out of Louisiana politics.[43] This stand leads one to believe that the Louisiana Republicans had already seen the handwriting on the wall and become "lily white." Also, *The Daily Item's* assertion that it would not approve the elimination of a single white citizen, whether native-born or naturalized,[44] appears to be a Republican bid to the immigrant vote. The loss of the Negro support had to be compensated for.

When the suffrage measure was presented to the convention as a whole, two controversial issues promptly appeared; these were the absence of a poll tax requirement for voting and the inclusion of naturalized persons in the class of permanent registrants. On the latter point, the committee agreed to compromise after pressure was brought to bear by reformers who already strongly resented the use made of the foreign vote by the ward "bosses" of New Orleans. The ordinance was amended to the effect that only foreign-born persons naturalized before Jan-

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41 *Ibid.*, March 5, 1898.
42 *The Times-Democrat*, March 3, 1898.
43 *The Daily Item*, March 1, 1898.
44 *Ibid.*, March 19, 1898.

uary 1, 1898, instead of the date of the adoption of the new constitution, might register without complying with the educational and property tests.[45]

The formal debate on the suffrage clause was opened on March 8 by Chairman Kruttschnitt with a very frank speech, replete with race feeling:

> We all know, we, the white men of Louisiana, that the problem which we desire to solve is to undo the greatest crime of the nineteenth century, the placing of the ballot in the hands of the Negro race by the fifteenth amendment to the Constitution of the United States . . . it seems to me that the plan of suffrage which will most nearly meet the requirements of our people will be that one which will grant the right of suffrage to the greatest mass of the intelligence and of those identified with the interests of Louisiana, and which shall deprive the greatest mass of corruption and venality of that privilege.[46]

Of the plan submitted by the suffrage committee, Mr. Kruttschnitt heartily approved. Unlike the Mississippi and South Carolina schemes which he characterized as "replete with opportunities for fraud," the proposed Louisiana ordinance, he believed, "comes as near solving the problem which has been laid before you as it is possible for this body to do."[47]

With this point of view there was, however, considerable disagreement. A. V. Coco of Avoyelles attacked the "Grandfather Clause" as "a weak and transparent subterfuge and unmanly evasion of the Constitution of the United States." He favored a straight educational and property test to be applied equally in the case of both races. The whites would still have a decided advantage, he reasoned, since the rate of illiteracy was higher among the Negroes. Some discrimination might logically be made in favor of war veterans, he contended, but not in favor of their descendants. "It is as wrong under our republican form of government to grant the right of suffrage by inheritance as it is to grant the right to office or rule."[48]

E. J. Ransdell of East Carroll presented the case of the people of north Louisiana in behalf of a poll tax prerequisite. The poll tax he regarded as the only means of honest and fair salvation

[45] *The Daily Picayune*, March 5, 1898.
[46] *Ibid.*, March 9, 1898.
[47] *Ibid.*
[48] *Ibid.*

from the hordes of Negroes in the black parishes. In East Carroll, he said, the present ordinance without the poll tax would permit the registration of three hundred white men and fifteen hundred Negroes. If the situation were allowed to remain thus, the whites would have to continue to use the old methods of force and fraud in order to control the parish. The same was true in Tensas and other black parishes, he said. Mass meetings had been held in Shreveport and other north Louisiana towns urging the adoption of the poll tax.[49]

J. Y. Sanders of St. Marys countered with the assertion that the poll tax was an old Populist proposal. "The right to vote," he said, "is a right not to be purchased by the payment of a poll tax, and the people will damn the [Democratic] party if this tax is voted in."[50]

In order to avoid a complete deadlock on the poll tax question, the two factions appointed committees to go into conference and seek a compromise.[51]

Meanwhile a few minor changes were made in the suffrage article. Phanor Brezeale of Natchitoches strenuously objected to the "squaw and papoose clause" which permitted a man to vote because his wife or minor children held property. On the motion of Mr. Boatner, the suffrage committee agreed to drop this section. The "hereditary voters" were retained, but the registration of 1867 instead of that of 1868 was taken as the basis of the permanent registration. Voters of 1867 and their sons and grandsons were to be enfranchised permanently if they registered before September 1, 1898.[52]

In the poll tax conference, compromise was the order of the day. Advocates of the tax could count a probable majority in the convention but were reluctant to force a vote. The first concession from the opponents of the tax was the suggestion that the issue be submitted to the people. Then they expressed their willingness to accept a poll tax prerequisite for registration if such a provision might not be put into effect until October 1, 1900. As an explanation of this latter proposal the New Orleans *Picayune* offered the following:

[49] *Ibid.*, March 10, 1898.
[50] *Ibid.*
[51] *Ibid.*, March 11, 1898.
[52] *Ibid.*

It has gotten down to the question of the salvation of the bosses in the next city election in 1900, and every effort is being strained to stave off the poll tax until after that time. They want just one more chance to get in control of the city of New Orleans, and then—.[53]

In spite of the obvious opportunism of this proposal, the poll tax compromise was ultimately worked out along these lines.

Just when the suffrage committee seemed about to get section 5 [the suffrage clause] satisfactorily amended, a bomb was thrown into camp. The New Orleans *Times-Democrat* had consistently opposed the report of the suffrage committee, believing the "grandfather clause" to be unconstitutional. The editor now submitted a draft of the suffrage article to the two United States senators from Louisiana with the request they express their opinions as to the constitutionality of the measure. In reply Senator Caffery telegraphed from Washington on March 17:

Section 5 of the amended suffrage amendment is unconstitutional in my opinion, because it establishes a privileged class of voters for three generations without qualification, while it imposes qualifications on all other citizens, and because in fact it discriminates against the colored people of Louisiana.[54]

The same day the editor of the *Times-Democrat* received by telegraph the following message from Senator McEnery:

In answer, I say that Section 5 is grossly unconstitutional. I have submitted the same to some of the ablest Democrats in the Senate, who are able constitutional lawyers. They all concur in my opinion that if adopted the effect will be to lose in our representation in Congress and in the electoral vote of the state.[55]

The convention was now "all at sea." The Democrats went into conference on March 21 and reconsidered all the available suffrage plans. The "squaw and papoose clause" was revived and voted down. The "grandfather clause" was knocked out because of the adverse opinion of the two Louisiana senators. The South Carolina plan with the "understanding clause" was pushed anew by "Fitzpatrick and Company" of New Orleans and supported by practically all the "Regulars." But, much to the surprise of its advocates, this measure too was voted down.

[53] *The Daily Picayune*, March 17, 1898.
[54] *The Times-Democrat*, March 18, 1898.
[55] *Ibid.*

Chairman Bell of the suffrage committee then despairingly reminded the conference that his committee was being called upon to "make bricks without straw."[56]

The defeat of the "understanding clause" was due in part to the vigorous opposition of the state press.[57] But perhaps a still more important reason was the fact that many members of the convention still preferred the "grandfather clause" in spite of its doubtful constitutionality. Unwilling to abandon what they believed to be the best solution of the suffrage question, Messrs. Pujo, Watkins, and Liverman dispatched a joint telegram to Senator McEnery inquiring whether he would defend the "grandfather clause" in the Senate if it were adopted by the convention. The Senator replied that he would defend in the Senate any suffrage plan adopted. "Duty to people demands it."[58]

This message arrived while the Democratic conference was still in session and encouraged the champions of the "grandfather clause" to reopen the debate on the floor of the convention. The session of March 24 saw the final fight on the sufferage article. Advocates of the "grandfather clause" appointed a committee of seven to treat with opponents of the plan. The outcome was a compromise—the adoption of the suffrage committee's report with the addition of a poll tax prerequisite for registration which was to be applied after 1900. There was also an understanding that the poll tax might be dropped as early as 1908 if the Legislature saw fit.[59]

The leaders having thus agreed on the terms of the compromise, action on the suffrage article was made a special order of the convention at nine in the evening. The galleries were packed for the occasion; many ladies came to witness the voting. The amended section 5, embracing the "grandfather clause," passed by a vote of eighty-five to forty-five, with four members not voting. The complete suffrage article [Ordinance 205] was adopted the following morning, March 25, by a vote of ninety-five to twenty-eight, with eleven not voting.[60]

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56 *The Daily Picayune*, March 22, 1898.
57 *The Times-Democrat*, March 22, 1898. *The Times-Democrat*, itself strongly opposed to the "understanding clause," cited fourteen other state newspapers as holding the same view.
58 *The Daily Picayune*, March 22, 1898.
59 *Ibid.*, March 25, 1898.
60 Louisiana Constitutional Convention, 1898, *Journal*, pp. 137-42.

Under the newly adopted suffrage ordinance, every Louisiana voter must have resided in the State for two years, in the parish for one year, and in the precinct for six months; he must prove his ability to read and write by making application for registration in his own handwriting, or, if unable to read and write, he might register if he owned three hundred dollars worth of taxable property. Also, no person less than sixty years old was permitted to vote who could not show receipts for the payment of poll taxes of one dollar per year for the two years preceding the time he offered to vote.[61]

Thus far the suffrage qualifications seem equally applicable to both races. But in order to protect the illiterate and impecunious whites from the operation of the literacy and property clauses, which were aimed at the Negroes, the much debated "grandfather clause" was added. This section 5 reads as follows:

> No male person who was on January 1, 1867, or at any date prior thereto, entitled to vote under the Constitution or statutes of any State of the United States, wherein he then resided, and no son or grandson of any such person not less than twenty-one years of age at the date of the adoption of this Constitution, and no male person of foreign birth, who was naturalized prior to the first day of January, 1898, shall be denied the right to register and vote in this state by reason of his failure to possess the educational or property qualifications prescribed by this Constitution; provided he shall have resided in this state for five years next preceding the date at which he shall apply for registration, and shall have registered in accordance with the terms of this article prior to September 1, 1898, and no person shall be entitled to register under this section after said date.[62]

Other constitutional problems kept the convention in session until May 12. On that day the completed constitution was signed by one hundred and twelve members and promulgated without a popular referendum.

Louisiana had been given a suffrage law calculated to perpetuate white supremacy by eliminating the mass of Negro voters from the electorate. In a speech characterized by extreme frankness, Judge Thomas T. Semmes, chairman of the

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61 *Constitution of Louisiana, 1898*, New Orleans, 1898, pp. 78, 79.
62 *Ibid.*, p. 79.

judiciary committee of the convention, explained the purpose of the "grandfather clause":

What is Section 5? It is a declaration upon the part of this Convention that no white man in this state—that's the effect but not the language—that no white man in this state who has heretofore exercised the right of suffrage shall be deprived of it, whether or not he can read or write, or whether he possesses the property qualification. That is the meaning of it, nothing more and nothing less.[63]

E. B. Kruttschnitt, chairman of the convention, was even more blunt in his defense of the measure just adopted. In a speech evidently meant for home consumption, yet delivered before the assembled convention, he said:

We have not drafted the exact constitution that we should like to have drafted; otherwise we should have inscribed in it, if I know the popular sentiment of this state, universal white manhood suffrage, and the exclusion from the suffrage of every man with a trace of Negro blood in his veins. We could not do that on account of the fifteenth amendment to the Constitution of the United States. . . . What care I whether the test we have put be a new one or an old one? What care I whether it be more or less ridiculous or not? Doesn't it meet the case? Doesn't it let the white man vote, and doesn't it stop the Negro from voting, and isn't that what we came here for?[64]

But not all the members were so well satisfied with the convention's solution of the suffrage question. Charles T. Soniat of Orleans felt that the "grandfather clause" was "glaringly unconstitutional, undemocratic, and un-American."[65] Similarly, H. Dickson Bruns of Orleans characterized it as "indefensible in reason, law, or morals."[66]

The concluding estimates of the new suffrage article by the two leading Democratic newspapers of New Orleans were poles apart. *The Daily Picayune* had only praise for the work of the convention:

The Picayune is convinced that this suffrage clause perpetrates no discrimination upon the Negroes, or persons of any other race or color, and in no way conflicts with the constitution of the United States. . . . It is honest; it countenances and encourages no fraud, it creates no officials who are expected to perform questionable or dishonest acts.[67]

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[63] Louisiana Constitutional Convention, 1898, *Journal*, pp. 374, 375.
[64] *Ibid.*, pp. 380, 381.
[65] *Ibid.*, p. 145.
[66] *Ibid.*, p. 142.
[67] *The Daily Picayune*, March 25, 1898.

Conversely, *The Times-Democrat* completely condemned the suffrage article:

> It has been passed by politicians, for politicians, and it becomes a part of the organic law of a people who utterly despise and contemn it. . . . It is un-American, unrepublican, undemocratic; the hereditary voter will not only excite the jeers of the people of the entire country, but will also bring down on his head the hostility and contempt of all self-respecting citizens of this state.[68]

A study of the Louisiana constitutional convention of 1898 and of the steps which led to its convocation reveals the fact that the movement to disfranchise the Negroes of the State was by no means free from politics. Indeed, there were bitter quarrels even within the Democratic party. North Louisiana was suspicious of the New Orleans political leaders. Senators Caffrey and McEnery deemed unconstitutional the "grandfather clause" which was ultimately incorporated in the state constitution, and *The Times-Democrat* heaped vituperation upon the same section. The poll tax issue split the convention into antagonistic camps. Serious and permanent rifts threatened. But the divisions of 1898 were soon forgotten. The problem of the Negro in politics was, for the time at least, solved by the more rigid requirements for voting. The great majority of the Negroes of the State were dropped from the electorate, and "white supremacy" was saved in Louisiana.

[68] *The Times-Democrat*, March 25, 1898.

LETTERS OF THOMAS JACKSON STRAYHORN

Edited by Henry McGilbert Wagstaff

The following series of letters, the last three excepted, were written by Lieutenant Thomas Jackson Strayhorn, a native of Hillsboro, Orange County, North Carolina, where he was a merchant at the outbreak of the Civil War. He was the second son of Samuel Strayhorn (b. 1786, d. 1874), grandson of William Strayhorn (b. 1756, d. 1834), and a great grandson of Gilbert Strayhorn (b. 1715, d. 1803). The latter, whose original name was Streaghan, was a Scottish immigrant from Pennsylvania who settled at the "Hawfields" (now in Alamance County) in the second quarter of the eighteenth century but soon moved to the New Hope section of Orange County, where a large number of his descendants now reside.

The sister to whom the letters are written was Harriett Holden Nichols, wife of William Fletcher Strayhorn, elder brother of the writer. Wm. F. Strayhorn was a member of the General Assembly from Orange in 1856. The children constantly referred to in the letters were the children of this brother. They were: Isaac Richardson Strayhorn, about fifteen years old at the date of the letters, who served in the Junior Reserve in 1864-65, was an A.B. graduate of the University of North Carolina, 1868, a lawyer and solicitor of the 5th District, a member of the General Assembly, 1883, and a trustee of the University from 1883 until his death in 1893; Mary Elizabeth Strayhorn, the late Mrs. John Berry, of Chapel Hill; and Thomas Jackson Strayhorn, lawyer (b. Feb. 17, 1862, d. April 16, 1895).

Thomas Jackson Strayhorn, the writer of the letters, was born Jan. 10, 1831. Upon the outbreak of the Civil War he enlisted as a private, April 20, 1861, and was detailed as a clerk in the Quarter Master's Department of General Robert Ransom's Brigade. He was discharged from service under the conscription act, August 18, 1862, and reënlisted in the "Orange Guards," being elected as 2nd lieutenant of the company, Dec. 9, 1862. The "Orange Guards" soon became Company G, in the 27th Regi-

ment of North Carolina Infantry, and fought through the remainder of the war in Cooke's Brigade, Heth's Division, A. P. Hill's Corps, Army of Northern Virginia. Lieutenant Strayhorn participated in the battles of New Bern, Mine Run, Graves' Farm, Spottsylvania, Cold Harbor, Gary's Farm, Green Church, and Reams Station. In the latter battle, August 25, 1864, he received a wound in the shoulder, from which he died in hospital at Richmond, September 7. His body was brought from Richmond by his father and buried at New Hope Church, Orange County, where a monument, erected by his niece, Mary Elizabeth Strayhorn (Mrs. John Berry), marks his grave.

The fifteenth letter of the series was written by Lieutenant William G. Nichols, brother of Mrs. Harriett Holden (Nichols) Strayhorn, a few weeks before his death from wounds received at Gettysburg, July 2, 1863. The last two letters relate to his death and the disposal of his body.

Though few in number, the letters give an intimate picture of the life of a soldier in the Confederate service, reflecting now the ugly details of war, and now the hope and aspiration for a peaceful day crowned with victory for the cause in which the struggle and sacrifice were made.

The letters came into the hands of the editor from Mrs. John Berry, who died in Chapel Hill, July 31, 1934, and lies buried in the village cemetery. The chief sources of information about Lieutenant Strayhorn are: Captain James A. Graham's sketch of the 27th Regiment of Infantry, in *Histories of the Several Regiments and Battalions from North Carolina in the Great War, 1861-1865,* II, 425-463, Walter Clark, editor, and a manuscript booklet by Captain Graham in the Library of the University of North Carolina entitled "Copy of Description Book of the Orange Guards, called Company G, 27th Regiment of North Carolina Infantry, Cooke's North Carolina Brigade, Heth's Division, A. P. Hill's Corps, Army of Northern Virginia, from April 22, 1862, to the end of the War." The "Description Book" was edited and published by H. M. Wagstaff in *The James Sprunt Historical Studies,* Volume XX, Number 2 (1928), under the title "The James A. Graham Papers, 1861-1884."

LETTERS

I sent $15.00.

Camp Davis,[1] July 11th, 1863.

Dear Sister:—

I arrived in Camp about an hour ago, having been absent two weeks assisting in the erection of a line of entrenchments near Topsail Sound, 15 miles below here. I have not received your letter which Capt. Hall had from you. It was sent to me by one of the men who came to camp from the breastworks and returned on yesterday and we were ordered back; and I suppose he missed us on the road. We will probably arrive this evening. Our Brigade is ordered to Charleston; two regiments have left. We will leave as soon as transportation can be furnished. Charleston was attacked this morning. I cannot express my feelings in regard to affairs at present; the future is gloomy enough. When I saw the result of Lee's invasion of the enemy's territory I had feelings which I cannot describe. I think the Battle of Sharpsburg ought to have taught us a lesson. We have no business invading the enemy's country. We can effect but little and we endanger ourselves by it. I would write more but I am worn out having walked fifteen miles today, part of the way through mud and water. I have gotten no letter from Ike. I expect we will have a terrible time at Charleston but I shall endeavor to do my duty and trust I am prepared for whatever may come.

[Unsigned, but written by Captain T. J. Strayhorn.]

Spottsylvania Co. House.
Tuesday Evening, May 17th. 64

Dear Sister:—

I got to the Reg't. on Sunday after leaving home. I will not attempt to give you a full detail of the battle but only so much as our brigade has been engaged in. On Tuesday the 10th, our brigade was engaged in driving back the enemy that were attempting to turn our left flank. After driving them several miles, we came upon their works and run them out of two lines and regaining the road, that they held for a short time, for three or four hours that evening, we were under the heaviest cannonading I ever saw or expect to see. We charged across an open field ¾ of a mile wide and carried the works, while 3 batteries were playing on us all the time with grape and canister. Our loss in the company was one killed, Frank Wood, and two wounded, James Mitchell, slight in breast and Ros Richards in arm. We have been engaged one day since in a flank movement but no loss in our company. We have been lying in our works night and day since last Friday. I am

[1] Camp Davis, named for the Confederate President, was at Wilmington, North Carolina.

well and hardy and in command of the Company. Capt. D. is quite sick. I have not had an opportunity of looking after Tom yet. I will go to see him as soon as I can. In all of the engagements our loss in the Company has been 2 killed and 16 wounded. I will write again soon. I have escaped so far and am thankful to God for it.

I am

Affectionately your brother,

T. J. S.

You must excuse this letter as I have nothing to write on, and expect to be attacked at any moment.

Near Mechanicsville.
Sunday, May 29th, /'64.

Dear Sister:—

Your epistle of the 23rd to hand a few moments ago and I was glad to hear that all of you were well. It has been 3 weeks today since I rejoined the reg't. and during that time I have gone through a great deal of hard service, either marching or lying in line of battle. My health has been and is now very good with the exception of the diarrhoea for the last few days. I have been reduced in flesh considerably. I am still in command of the company. Capt. D. is with us but unfit for duty. I hope he will be well in a few days. I am getting very tired of this protracted fighting and I believe I express the desire of the army for Grant to attack us and fight it out at once and not stay round our right wing so much. However, he has made his last move unless he takes it into his head to cross to the South side of the James. At Spottsylvania we confronted him for 12 or 15 days and he would not risk a general engagement at Hanover Junction. We offered him battle again but [he] preferred sliding by our right to fighting. Grant would have fought us at Spottsylvania, but his troops were so much demoralized and disheartened the officers could not work them up to charge our works. Our skirmishers heard them repeatedly give the order to forward but they (the men) would not obey. I have not been able to see Tom yet. As soon as Dickson takes command of the Co. I will go and look him up. I understand his corps is some two or 3 miles from us. I understand Lum's Reg't. was left at Kinston. I hope Stephen was neither killed or hurt. When you write me again let me know if you have heard from any of the boys. I hope Ike will not have to come to Virginia. Send my regards to Ike and tell him I am pretty well. I would write to him if I had time and paper. My carpet bag is in the wagons some 5 or 6 miles in the rear. I am lousy more than half my time for want of clean clothes. Will Gattis wants you to say to Jim that he is well. I will now give you a list of the killed and wounded in the company. Killed May the 5th—R. C. Davis; wounded T. B. Whit-

ted in face seriously; O. F. Hatch in leg severely; J. Miles in shoulder severely; W. A. Crabtree, (son of Wesley) in thigh severely; G. M. Donnelly in face severely; C. Dunigan in shoulder slight; A. Forrest in hand slight; D. E. Paul in hip slight; M. Ray in hand slight; J. Smith in arm slight; E. Strayhorn in neck and leg slight; W. Thompson in face seriously; M. Delaney arm amputated. May 15th battle Poe Creek—Killed F. Wood; wounded J. Mitchell in shoulder slight; R. Richards in arm and side slight.

Write soon.

Your brother,

T. J. S.

P. S.

If you have an opportunity I want you to send me two or three pounds of coffee and try and buy me some shirts as I will be compelled to lay off my flannel on account of the lice. Perhaps sister would let me have enough to make me 2 shirts.

In line of battle Gaines' farm
Wednesday evening, June 8th, '64.

Dear Sister:—

Your letter of the 3rd came to hand Monday night. I was glad to hear from you all. I am in hopes brother's health is or will be better soon under the treatment of Dr. Cameron. Nothing of importance has transpired since my last except the two armies are getting nearer to each other. Last night after dark our division moved to the front line (after being held in reserve for several days) to relieve those troops recently brought from North Carolina,—Clingman's brigade among them. While we were leaving the front line several Yankee bands along the line discoursed some of the sweetest music I ever heard and this morning when it was light enough for us to see, we discovered the Yankees' front line immediately in our front only to be 100 yards off with several beautiful flags unfurled to the breeze. How long we can remain in this position without an engagement, I can't say. We are looking for it at any moment and it may be before the sun goes down a bloody battle may have been fought. Our position is a very strong one and our boys confident. We are supported by three strong lines in our rear. Since I commenced writing, the enemy have fired several shots from one of their batteries immediately in our front.

I am feeling very unwell to-day, my bowels trouble me a great deal. Capt. D., I understand, has gone to the hospital. I would not be at all surprised to hear of his death at any time. Lieut. Hanner, (Guilford Grays) died of the same disease a few days ago. Lieut. Campbell of the same company was shot through the body a few days ago and died the next day. My company numbers 26 men now and all of them well except a few cases of diarrhoea. Fat Webb is worse off than any of

the rest. Lum's regiment, I understand, is down about Malvern Hill. I have not seen or heard anything more from Tom. I will look after him when I have a chance. You complain of me not writing often. I think I have done very well, considering my opportunities and everything else. I hope you will attend to having my boots and shirts made immediately for I am barefooted in a manner. I would not trouble you with my wants if I had any one else I could call on and I am sorry to have to confess that I can't call on you to attend to my little wants with that freeness and confidence I once could, for I am satisfied you have become tired being troubled with me, such being the case I will remember not to trouble you any more than my necessities require me to do. Pardon my frankness and if I have unfairly judged you or am mistaken I will be happy to know it.

I haven't written to Ike yet. You can tell him what I write. Let me hear from you often. I will write every few days. I hope and trust my life will be spared through this campaign. Kiss Mary and the boy for me. My love to all the family. I could write more if I had the paper. Goodbye.

Your affectionate Brother,

T. J. S.

Gains Farm Sunday Evening

June 12th/64

Dear Sister:—

I have been expecting a letter from you for the last few evenings; have not heard from you since my last. I have no news of much importance. The position of the two armies are pretty much the same as when I wrote you last, and nothing of any importance except picket firing and occasional cannonading having transpired in that time. Our brigade after relieving the troops in the front line, remained there three days and nights. On Friday night we were relieved and now occupy the second line of works where we can breath a little more freely and not quite so much exposed to the bullits of the sharpshooters. The enemy are massing their troops and throwing up very strong works immediately in our front, which looks very much like preparations for a siege. As they have made no attack our position is a very strong one and should the enemy attack us there will be one of the greatest slaughters of the war. The first evening we occupied the front line Grant sent in a flag of truce to bring his dead which was granted by General Lee. Some of their dead were within a few yards of our works and were becoming very offensive. Those Yankees were killed by Hoke's Division on last Friday a week ago. The Yankees said one regiment alone (the 8th York) lost five hundred men in that engagement. I am

quite unwell and have been for some time. I am almost worn out with this campaign, since it commenced, which has been nearly 1½ months, our brigade has been in line of battle every night except three.

We have twenty-six men in the company now and nearly every one of them are sick with diarrhoea. I have not heard anything from Dickson since he went to Richmond. He was very sick the morning he left. I have not been able to hear anything more from Tom; I don't know where Longstreet's corps is at; I rather think they are on our right near the Chickahominy. I have not been able to hear anything from Lum at all; don't even know where his regiment is at, some say they are at Malvern Hill under Beauregard; I have not seen Sam Blackwood since we came to Hanover Junction. I suppose he is well. I saw a list of the casualties of the regiment and his name was not in it. About the same time I saw Bob Cole; he is now Captain of Lum's old Company. I could go and see a good many boys in other commands; I would like to see if there was another officer in the company as it is I can't leave to go any where. I hope you will send my boots and shirts to me the very first opportunity. I want to get clear of my flannel. I am all the time lousy. My feet are on the ground. I could get a pair of shoes I suppose by paying 75 or 100 dollars but I would rather give a little more and get a good pair of boots. If John Hanner has not already started from home he will in a few days. I see all prisoners that have been paroled are exchanged up to the 1st of June.

I will not write any more until the mail comes. I hope to get a letter.

It is now nearly dark and as we can't have a light to write by, I will close; the mail has not come in yet. If there should be anything in your letter for me to reply to immediately, I can write to-morrow. The army are living better now than at any time in my knowledge since the War commenced. We draw rations every two days and get sugar, coffee, onions, sometimes ½ lb. meat per day and bread in abundance.

Everything is very quiet along the lines now except picket firing and occasional cannonading which is kept up from daylight until dark. Banks Holt came to see me this evening. Bart Mebane was killed last week. Ike's friend Mills is in our regiment. He came here to join our company but the Col. would not let him do it as some of the other companies were not as full as ours.

It is thought by some of our high officials that a fight will not be deferred many days longer, if the enemy should attack us in our works, I have no fears for the result.

My love to all the family and inquiring friends. Kiss Mary and the boy. You shall hear from me again in a few days.

Good-bye.

Your affectionate Brother,

T. J. S.

Near Long Pole Bridge
Chickahominy, June 15th/64.

Dear Sister:—

I am very tired after being under arms nearly all day but will write you a few lines to inform you and the friends of the men in the company of the casualties it sustained today. This morning the enemy were reported advancing in force, our cavalry falling back after waiting for them to advance. We moved forward in line of battle with some few dismounted cavalry as sharpshooters. The sharpshooters of our brigade was thrown out with them and suffered severely. Our brigade was the only one engaged except of very little force; sometimes our line of battle walking over the top of them.

I am feeling very unwell but have no notion of giving up as long as I can go. Capt. D. has not returned to the Co. yet. I haven't heard from him since he left. We managed to get A. Norwood's body off the field and also arrangements to send him to his uncle in Richmond. I sent the casualties of the Company to him that he might telegraph at the same time he does to Mr. Norwood.

I have not been able to hear anything more from Tom and Lum. I will lose no opportunity in looking after them.

Casualties in Co. G, 27th N. C. Infy. June 15th/64 near Long Pole Bridge, Chickahominy.

Killed—A Norwood.

Wounded—Fred P. Clark in arm, slight.

Wm. Nunn in neck, slight.

Q. G. Strayhorn, shoulder, severely.

A. Hedgpeth in arm and abdomen, severely.

Jas. Hughes in abdomen, severely.

Thos. Sims in side, mortally, I fear.

Excuse this hurriedly written note. I hardly know what I have written. Good-bye.

Your affectionate Brother,

T. J. Strayhorn.

Near Petersburg, Va.
Sunday Evening, June 19th, '64.

Dear Sister:—

Your short epistle of the 13th came to hand last night. I was glad to hear from you and to hear that Brother's health is improving also that the rest of the family were well. I am not very well. Can't get rid of the diarrhoea but manage to keep up. I came very near giving

up yesterday. We made the hardest day's march that I have done since the war commenced. We left our bivouac 14 miles below Richmond on the peninsula at 5 o'clock and arrived within 4 miles of Petersburg about 4 o'clock, P. M. where we took the cars. I saw more straggling in our division than I ever saw before. The roads were very dusty and filled with broken down men for miles. I suffered considerably with my feet; boots full of holes, in fact the uppers are torn loose from the soles and the sand wore out my socks and the skin off the bottoms of my toes, so I hope you will look out for an opportunity to send my boots as it is impossible for me to get a pair of shoes from the Government. Capt. D. is suffering with diarrheoa and also complained of his wound on marches. I understand he is getting better. I can't write one tenth as much as would like to say. But I trust that God may spare my life through this campaign that I may return to relatives and friends and then I can give you a full detail of the campaign since the 8th of May at the time of my rejoining the Reg't. This is one of the times to try men's souls and I must confess I have been wofully deceived in some of the men connected with our Regt.

I can't give you any information as to the situation of things around Petersburg as no paper came out today and that is the only way I can find out what is going on and you by reading them can find out all that is going on. The Yankees haven't got Petersburg and I don't think they ever can take it, but from what I can hear, they are near enough to shell and burn the place which I have no doubt they will do, if we can't drive them further off. We have been in no engagement since I wrote you last. We succeeded in getting Norwood's body to Richmond to his uncle and I also asked him to telegraph the casualties of the company at the time of telegraphing his brother about Alvis. I hope he did not fail to do it. I heard yesterday Sims was dead. I fear he was mortally wounded and also fear Hughes will die. The rest of them, I think will get well. I only have fourteen muskets in the company now. I hope some of the men that have been to the hospitals for 3 or 4 months will be sent back soon. I could write more but will have to close as my sheet is filled up. I would like to write to Ike but one half the time I can't get to my paper and the balance of the time marching or attending to the duties of the company. My love to the family and friends. Kiss the boy and Mary. Goodbye.

Your affectionate Brother,

T. J. S.

P. S.

The Scarletts, Gattis, Cooley and Adams are all getting along very well, tell their friends if you see them.

North Side James River
June 23rd/'64.

Dear Sister:—

Your letter sent by Walt (I presume) came to hand this morning and I understand Mowatt with my boots and shirts is back at the wagons which are two miles in our rear. I am certainly glad to get them. My feet are in pretty bad fix and my flannel is getting too warm, as well as being too good a harbor for the vermin that soldiers are not strangers to. I am glad to hear that you and the children are well and hope it will not be long until brother is restored to his usual health at least. I was quite sick last night and this morning but am feeling a good deal better now. I have been suffering with diarrhoea nearly ever since I returned to the company and under any other circumstances would have been in bed a portion of the time at least. I have no idea of giving up as long as I can drag one foot after the other. I have heard nothing from Cap't. D. since my last. I expect he is having a hard time. When I wrote you last we were near Petersburg. We are now on the North side of the James and about half way between Drewry's Bluff and the deep bottoms, our lines running nearly parallel with and some two or three miles from the river. I thought last evening while establishing their line we would get into a fight but did not. Just before night the enemy opened on us from one of their land batteries and also from their gun boats which lasted until some time in the night, several of the shells from the gun boats burst over our regiment but fortunately doing no damage.

Two of our brigades are over here and the other two were left at Petersburg. I am getting tired of running round from point to point; would rather be in the front line and centre of the army. I have no news of any great importance except army news that you can see in the papers.

I have not seen or heard any thing from Tom and Lum as yet. Longstreet corps is at Petersburg and I would not be surprised if Lum was in the Valley with Ewel's corps. I saw Sam Blackwood about a week ago. He was well and hearty. I don't think the troops on this side of the River will have much fighting to do; merely kept here to guard the battery at Chaplin's Bluff. When you write again let me know if Alvis Norwood's body was sent home from Richmond.

Without noticing, I wrote the fourth page of this sheet before 3. You will read it as it is paged. I have not written to P. yet. I have been thinking of doing it for some time. I would write to you oftener than I do if I could keep my paper up with me. Write to me often. I am always glad to hear from you. I will send my heavy shirts and boot legs to Mr. W. Norwood in Richmond; if you see any one coming to Richmond, get them to call for them and take them home. I will not

finish my letter until Mowatt comes up with my things. My boots have come. I like them very much. Mowatt left my shirts at the wagons with Sid Strayhorn. I will get one of them in the morning. Tell Brother I want him to pay Hays and Faucett my account and charge to my account. I will send him some money as soon the Q. Master pays us off.

My love to all the family. Kiss the boy. Write soon and often and I will do the same. Dickson is going home, I understand.

Your affectionate Brother bids you goodbye.

T. J. S.

P. S. I want you to continue sending my letters to Richmond, even if we were at Petersburg. I would be more certain of getting them from R.

Two Miles South
Petersburg July 12th/'64.

Dear Sister:—

It has been so long since I have written to or received a letter from you I scarcely know how to commence writing. I believe though, the last letter I wrote you was dated on the North Side the Appomattox. I understand the roads are now clear of raiders and the mails are passing occasionally at last, so I have concluded to write you a few lines as I have no doubt you are anxious to hear from me, although I am fearful it will be some time before you receive them. I have not received a letter from you in three weeks or more and you can scarcely imagine how anxious I am to hear from home.

Pretty soon after writing my last letter our brigade moved back to the North side of the James and remained there in the trenches for 10 or 12 days undisturbed by the enemy except some occasional shells thrown from their gun boats. On Sunday, the 3rd day of July we were relieved by Lane's brigade and came to the south side of Petersburg and have been lying in the trenches all the time except two nights and one day to guard the R. R. while some trains were passing with commissary stores. We returned to the trenches this morning. The enemy in front of the works of our Division are some 1½ or 2 miles off; our brigade has been in no engagement since I last wrote you but have been under the enemy's shelling several times. Longstreet's Corps is some where in the lines but I have not been able to see Tom yet. I have sent several times but the men I sent could not find the corps. I will go and look for him myself if I can get off. Lum is over in Maryland and Pennsylvania with Early. I understand Hoke's old brigade is with Early. I understand Green Strayhorn died in Richmond some time last week and about the same time Egbert died in Danville. I expect you have heard of both of their deaths by this time.

Capt. Dickson came to the campany about ten days ago and remained one night, returned to Richmond next morning with the intention of going home on furlough. He is looking very badly. I fear he will never be able for field service again. I am not well but much better than I was several days ago. On the march from the North side of the James I had a severe attack of cholera morbus, the evening before I ate two very small cucumbers which I attribute it to. The men in the company that are . . . [illegible] are doing very well. Gattis and Fat Webb have been complaining for several days. Four of our men came in today from the hospitals. I was very glad to see them as the company was getting down very low in numbers. Only eleven armed men. I hope some more of them will come in soon as I have no doubt there are some able enough to do so. The Scarlett and Cooley boys are with the Company and are well. For goodness' sake write soon and let me hear from you all. I will write to you again in a few days. Kiss the children and tell them I send my love to them.

My love to all the family and inquiring friends.
Goodbye.

Your affectionate Brother,

T. J. S.

P. S.

Jimmy Graham will get his place on Cooke's staff.

Two Miles South

Petersburg, July 18th, '64.

Dear Sister:—

I have just finished a few lines to send you by Mr. Webb Measley to let you hear from me but containing no news. I will now commence a letter to send by Mr. Wilson to-morrow evening, giving you the war news and operations of our armies around Petersburg and in Maryland.

The situation around Petersburg is about the same it was three weeks ago, except on our right the enemy have contracted their left and fallen back a mile or more. They have not showed themselves on the railroad since Hampton whipped Wilson so badly on our left and since continual picket firing and occasional cannonading is all that has transpired along the lines for the last three weeks. Our men say that Grant has gone to digging and trying to undermine them.

In our front the Yankees are a mile and a half or 2 miles off. I have not seen one since we came over here, except a few prisoners. On the North side of the James River we have a force that are doing their duty. A portion of their artillery went down to the river and attacked seven transports laden with Yankees and succeeded in sinking two of them. Early is in Maryland and Pennsylvania slashing round consid-

erably with about forty thousand troops under his command. We can hear nothing from him except through Northern papers that we get almost daily. They say he is causing great excitement in Baltimore and Washington as well as collecting an immense amount of plunder. One of our own correspondents says he has collected provisions enough to last our whole army six months independent of the Confederate States. Lum is with Early or you would have heard from him. I have not seen Tom or Stephen yet. I would have gone to see Tom on yesterday if I had not been sick. I will try and see him and Stephen both in a few days. I am getting very tired of this campaign. We are lying here in the trenches, in the middle of a large cornfield and the most of us (have) nothing to keep the hot sun off except our blankets that we spread on forks, and the wood and water we use we have to carry a considerable distance. But all this I am willing to submit to, to keep the Yankees out of North Carolina. How thankful ought people be whose homes have not been desolated by a Yankee for there are thousands even in our own state that have no conception of the horrors of war. Let such visit Virginia once and then go home and they would even be willing to sacrifice their lives rather than the enemy should treat them so. Speaking of Holden's election, I hear but very little said about it in the army. I don't think he will get many votes as his only chances are the conscripts. I don't see how any right-thinking or intelligent man can vote for him, for as many as do it are so many invitations for the Yankees to commence the war in North Carolina.

So certain as Holden is elected Gov. (which I have no fears of), so certain will the war be transferred from Virginia to N. Carolina and then the Holdenites and desserters, I hope will receive their just deserts in proportion as all good and true people will have to sacrifice their property, their homes & their all. I hope there will not be a vote cast for him by any one that has a drop of my blood in him for I honestly would vote for Abe Lincoln before I would Holden. Enough about Holden. I will finish my letter in the morning or by the time Wilson calls for it. The weather is very dry with us and the corn parching up. I don't think we have had enough rain since the 15th of June to wet a pocket-handkerchief.

I have been over to town once but could not find any of my lady friends; all of them have moved to the country. John McIlwaine and old Jimmie Kerr are prisoners, captured at the time Yankees made the raid on Petersburg. My things that you sent by Walt came through safe. I am very glad you did not send the coffee. I am now and have been for the last 3 or 4 weeks having as much as I can use, at the time I wrote for it, we were not getting any.

I would be very glad if you could send me a small box of onions, potatoes, & beats with a bottle of vinegar and any other little things you might think proper to send. I don't mean whiskey or brandy. I

have not touched a drop of either since I returned to the Company except a little given to me by the surgeon as medicine nor do I expect to take any in any other way. I would like to have those other things very much, if you can send them by any one. You said nothing in your last letter about Mitt's case. What has been done with him? I heard some time ago Jo Turner took Bill & Bug home with him. I don't see how he got them off.

I haven't seen Sam Blackwood in a long time. He is on the North side of the James. I saw Bob Cole a week or so ago, he asked me if I had heard from his folks lately. I told him I had not. I have 22 men in the Company now. The most of them are well. Sam Scarlett, the 2 Cooley boys & Dave Thompson are complaining but nothing serious the matter I hope. General Cook has appointed Fat Webb temporarily Lieut. to assist me. I am very glad he did it. I have had more to do than was in my power. Fat is the only one present that could render me much assistance in case of a vacancy in the Company. His appointment would not be good, but the Company would have the right to elect.

Tell Miss Rachel if Pat will not have me she may set her cap for me. I think we might suit very well, both disappointed. I am changing my mind about getting married. I am fearful the war will last so long that none of the young ones will be willing to marry as old looking fellow as myself. In the last 2½ months I have grown at least 10 years older in appearance.

I am going to write to Jimmy Graham this evening. He says he will be back by the middle of next month. He will not come to the Company. I hope Capt. D. will be back before his 50 days furlough is out. I am now and have been having a hard time. I want you to see Murdock without fail and as soon as you can and get him to send me a boy and if he can't send one there is a free boy in Dr. Jno. Allison's neighborhood by the name of Ed. Day, I think I can get. Please send to see Murdock and then write to Jno. Allison about Day for me and send him by the first one coming to the Reg't. A boy will cost me very little. I can feed him without any cost to me and he can do my cooking and washing which will not be any more than I have to pay for washing alone. Please do all to get me one as soon as you can. Send my socks and the box of vegetables if you have an opportunity. Walt, I understand will start the day after the election. Tell sister to send me some butter if she has any. Be certain to send me a few beats and a little vinegar. I am surprised at old man Dickson giving such a bond. The place is not worth much more than that in Confederate. How did such a report get in circulation about Bet and myself. Let them talk it, I don't care. I am afraid Pat will think it is so. She will be certain to hear it. I think I will write to her soon. I would like to see Tom Cain and such fellows driven in service. If the war was over I don't think he would be lame long. I have written up all

my paper and will close. Send me a pencil and some envelopes. I would like so much to see you all and be at home a short spell at least. Does the boy grow fast? How I would like to see him. Kiss the children for me and give my love to all the family and inquiring friends. Remember me to the old Col. I will write again soon. Write often.

I am, Your affectionate Brother,

Goodbye. T. J. S.

In the Trenches East of Petersburg,

Aug't. 7th/64.

Dear Sister:—

How are you this hot morning? I am anxious to leave this place and go to the rear where I can have the benefit of a shade for a few days and an opportunity of putting on some clean clothes. I have been wearing the clothes I now have on for more than a fortnight. You know I must be dirty, wallowing in the trenches. Our wagons with the baggage is six or eight miles in the rear and only comes up about once in two weeks. I have not slept a single night with my pants off since the 5th of last May. So you see a soldier's life is one beset with trials and difficulties.

I want to write you a long letter but scarcely know how to commence, as I have so much to say and don't know what to say first, for fear I will forget something. I will take up your long and interesting letter received a day or two ago and answer that first and then give you such news as I have that I think will be of any interest to you.

I am not at all surprised at John Webb's getting out of the war or any of the other swells. They are very patriotic to hear them talk and would not be out of the service for anything, but let an opportunity present itself for their escape and see how soon they take advantage of it. John told me when I was at home he could get a detail but did not want it, as he thought it wrong that other men had been in service a long time and he was no better than they. Such stuff will do for a little while. I would be glad to see Tom Cain, Jim Whitted and John Webb and a few others put in the trenches for a short while at least to let them see and experience some of the realities of war. I have no idea he would be willing to let me have Charles Day. I hope you sent me a boy by Walt. I am very much in need of one. If you did not send one, see Murdock and do all that you can to get me one. I think the Stroud family very fortunate or lucky to get the positions they hold provided they don't drain too near the dregs and give the public too much room to speculate. A number of eyes are already turned upon them.

I heard a few days ago that Capt. Dickson was in Hillsboro and would return to the Company soon, but his furlough would not be out

until the 26th of this month. I don't care how soon he comes. I have had a hard time of it for the last three months. General Cooke did send Dickson back to the hospital. He would march in rear of the column and lie about not doing anything instead of going to the infirmary and trying to get well, so he came very near dying. If he had gone back at first for a few days I have no doubt he could have been with us nearly all the Campaign. I would not be surprised if he tries to get a detail or something to take him out of the field, if he does I hope he will resign or fix it so as not to hold the Captaincy of the company. I don't want a shade captain but one that risks his life equally with mine.

I am glad to hear that John Hill and Hedgpeth give so favorable account of me. I have tried to perform my duty impartially to all. I am a little surprised that John Hill got off. He is in perfect health, his eyesight fails him at night. I am very anxious to see Walt. He will get here in the morning. I can enjoy some vegetables now, if ever I did. I hope sister sent me the butter. I hear we are to be relieved tomorrow night for a few days; if so, it happens in good time to attend to our boxes.

I have not heard from Tom since I left him on the other side of the James; his brigade is still over there and I am fearful that I will have some trouble to get his things to him, if he gets them at all. I will do all that I can for him to get them. I don't think myself that Tom Mebane is any very great accession to the company, either as to physical ability or giving it character. He had told me about the sugar scrape, but said the soldiers broke the barrels open and he picked up a few pounds and put in his haversack. If I had known anything of it, I would not have let him join the company.

I received a letter from Jimmy Graham a few days ago. He will leave home about the 9th instant. I would be glad if Jo Webb was able to get back. We need him very much. The captain that has been commanding the regiment since Col. Whitfield was wounded, died very suddenly a few days ago. His name was Larkins. Did Jo Webb know it?

I have thought for some time that Dickson family did not have much use for you or only so far as their interest went. I have heard their father's wit and at the same time those that they were making fun of had several times the sense they did. Steve can't write a sentence of a dozen words correctly to save his life. I never saw such spelling as his.

Vance is beating Holden a great deal worse than I thought for. I did not hold an election in the company for county officers because there was not three free holders present. If an election had been held, Guthrie would have gotten nearly all the votes or at least two to one. I don't much blame Razor to stay on his sticks so long as he sees fit, for there are others that I have no doubt could get along without sticks

and able to do good service in the Army if they would. The militia officers are no account nor haven't been since the war commenced. They could catch lots of deserters if they would. I would be rejoiced to see the last one of them put in service. I don't like Vance anything like as much as I did some time ago; for several reasons, viz., two or three months ago he came over and occupied Holden's platform because he thought it popular, and the keeping out of service six or eight thousand militia officers, when they were so much needed and not worth a cent at home. I am not surprised to hear of Geo. Lynche's getting drunk, he does that on all occasions when liquor can be had, at other people's expense. Tom Scarlett has been dealing in whiskey for some time from what I can learn. I read your letters over two or three times, and then burn or tear them up. There are men not only mean enough, I am sorry to say, in the company to read letters if they could get a chance but take things that don't belong to them.

If I were you, when Mary gets a little larger, I would send her off to school and get her out of the reach of Mag. So long as they can they will keep Mag wherever she goes, but it will be a drawback to Mary as long as it is kept up. If you go out to see Bet, I have no doubt you would enjoy yourself. What has caused you to take up the idea that I have given up P. and now heels over head in love with B? If there is any such arrangement or understanding, I know nothing of it. I like P. as well as ever I did and also have the highest regards for our cousin. Of the two, there is no comparison. P. is much superior. I expect you will have that boy so saucy you won't be able to do anything with him soon. I am glad to hear that he is in such health and growing so fast.

I am very sorry to hear that Ellen has got to cutting up with the Parks family. I would like so much to happen at home about the time she gets in one of her ways, I tell you, I would cool her off. I wish Brother had taken her up and given her a good whipping and sent her back. I am going to write to James Parks to give her a good one in case she cuts up any more of her shines. She has been showing herself ever since Harriet Joe put it into her head to live to herself. If she bothers me much, I will sell her if I can trade for real estate. I don't want money now unless it is gold or silver.

My paper has nearly given out and I will come to a close. I am feeling much better now than I have for some time. I have no news of any importance. Everything remains unchanged around Petersburg. Our brigade is still in the front works and about 75 or 100 yards to the right of the place blown up by the Yankees. I have no doubt they will try it again, but it will be at some other point on the line.

I am not much frightened about being blown up but would rather be a little farther from their lines. In my front our works are about 150 yards apart. I have not seen Stephen since we came back to Peters-

burg. Orders are so strict now it is almost impossible to get from one brigade to another. I can't think of leaving the company for more than a few minutes at a time for fear some orders will be received, and I away.

If my life should be spared and I once more get home I can have a great deal to talk about that will be interesting as well as surprising to you that I don't like to write. If a man wants to find out a fellow man let them go through a campaign like this one and I will venture to say his wants will be entirely satisfied.

I have been surprised at discoveries I have made. The most of the boys in the company are well, some of them complaining a little, nothing serious the matter. I would like if you could have me one of those caps like Hamilton's, made. My hat is wearing out. How much I would like to be at home until this hot weather is over. I think it is the hottest I ever felt.

I think I will write to P. soon. I reckon she thinks I am not so much in earnest as she once thought me. What do you think of my getting married this winter. [?] If I keep putting it off I will get so old I will not care anything about it. If I had a home for her, I would give the matter some more serious thought. My love to all the family and inquiring friends, particularly the old Colonel. My letter will not go off till morning and I will close my letter then.

Monday Morning. All quiet along the lines. Weather as hot as usual. Two Divisions of Longstreet's Corps, (Field and Kersham's) left for the Valley so you see Tom will not get his things. I am sorry for it.

Good-bye.

Your affectionate Brother,

T. J. S.

P. S.

Walt came last night, I have not received the box yet.

(Aug. 9, 1864?)

Tuesday Morning.

We are now having a beautiful rain, the clouds look as if it might rain a week. I am feeling much better this morning than I have for the last weeks. The fever has all disappeared and I have a very good appetite and I hope with prudence to be well again in a few days.

I have at last made up my mind to give up tobacco entirely. I know it is and has been very injurious to me. On yesterday I received from Dick Jones his circular and tickets. I don't think I will trouble myself about any one's election. I intend to vote for Vance and I think that will be the only vote I will cast. I am very sorry as well as sur-

prised to hear of Egbert Strayhorn's sudden death. It must be a heavy blow upon his mother to have two sons taken off so near the same date.

When I bid Green good-bye the day he was wounded I was fearful he would not get well. His wound was not dangerous if he had been in good health. During this Campaign, the Company has lost four or five of its very best members. I am anxiously looking for some of the sick and slightly wounded to return. Some that were sent off sick when in winter quarters are still off and from what I can learn of them, there is nothing the matter with them.

I wish I could be at home to enjoy the nice fruit and vegetables you are having. No one can appreciate such things until they are forced to live on meat and bread alone. I would like to see the boy so much and also the rest of you. I hope that brother's health will improve soon. My love to all the family and inquiring friends. I had so much to write about I expect I have forgotten to put in some of it. I will write again soon. Good-bye.

Your affectionate Brother,

T. J. S.

P. S. Send the box if you can and also two pair of soft cotton socks.

Near Petersburg

Aug't. 11th, /'64.

Dear Sister:—

Your letter sent by Ros Richards and the one of the 5th are to hand, I am very sorry to hear that Ike is sick. I fear if he has a spell of fever it will go pretty hard with him. I hope he is not so sick but what he can be brought home without risk. I want you to write to me often and let me know how he is getting on. I was scared about my barrel. When the boxes came out to the Company, mine was missing and none of the boys had seen it. I gave it up for lost. Late in the evening I received a note from Kirkland's Brigade saying there was a barrel in their lot of boxes for me sent through mistake. I went after it immediately and found one of the heads worked out but as luck would have it, everything was safe. I am very sorry to tell you that Tom Nichols had gone to the Valley and consequently did not get his things. I saw Stephen the same evening and gave him a bottle of vinegar and molasses and also as many of the beets, potatoes, onions and apples as he wanted. I kept the wine. I am very sorry Tom could not get it. I am more than obliged to you for sending me those things. You have no idea how much I enjoy them. I had apple dumpling for dinner two days. My sugar has given out now and I can't make any more. All of the boys in the Company received boxes nearly. I noticed

one that was pretty nice. Adams' nice bacon, flour and lots of other things that were nice. How do some people manage to get along so well? It is a mystery to me. If this war was to last 20 years longer, some people would not feel the effects of it in a pecuniary sense. Emmeline must have thought you intended sending a very small box. I will keep Tom's handkerchief and give it to him when I see him. I am truly glad Dick Jones beat Guthrie. What will Geo. Laws do now to keep Tom out of the army? I expect he will make him Deputy County Court Clerk. Latta resigned his majorship in the army and went down about Wilmington and joined as a private in heavy artillery, so say the men of his old company. I received my paper, pencil, envelopes, pepper box and socks all safe. The pepper box is just the thing.

I want you to do all that you can to get me a boy. I want one very much. You can send him by any one coming to Petersburg. I don't blame the Col. for not sending the whiskey at that price. I will deliver your message to Tom when I see him. I am feeling well this morning after getting a load of dirt off my clothes and person. Our brigade was relieved by Kirkland's from the front lines Tuesday night. I hope we will not have to go into those trenches any more; they are so dirty and hot you can get no air at all scarcely. I don't think you ought to complain about my writing. I write 2 and 3 times a week and long letters generally. I am getting a little anxious to see Dickson getting back. I am nearly worn out. Jimmy Graham has had his furlough extended to the 10th of Sept. Webb and Graham enjoy their wounds. I am glad to hear that some of those fellows have to go to camp. Jim Turrentine for instance. I am sorry they took off Bob Faucett. The mail will go in a few minutes and I must close. I will write a long letter in a few days. No news of any importance. Everything quiet along the line. The most of the boys are well. Sam Scarlett is not very well. My love to all the family and inquiring friends. Kiss the boy and tell him not to be saucy.

Good-bye.

Your affectionate Brother,

T. J. S.

P. S.

Do all you can to get me the boy and as soon as you can.

Near Petersburg,

Augt. 16th, '64.

Dear Sister:—

I have not received a letter from home in a week and am very uneasy, as you have been pretty punctual in writing of late and I hardly ever failing to get at least one a week, I fear Ike is sick and you are uneasy

about him and can't take time to write. Write to me if it is only two lines. You don't know how anxious I am to hear from you. Do write.

I am not very well but still keep up. I am getting very anxious to see Capt. Dickson. When he comes, I think I will go back to the Division infirmary and remain a few days and try and recruit a little. No news of any importance; everything remains pretty much the same around Petersburg. On yesterday we had a splendid rain, the first we have had to do any good since May. Our brigade has been out of the trenches for a week resting and cleaning up a little. We will go in again tonight. I dread it, anything else but lying in those dirty ditches.

My vegetables are holding out very well. I have enjoyed them very much indeed. I went over to the market a few mornings ago. Everything seems to be plentiful but pretty high. Watermelons from eight to seventeen dollars. I have helped to eat two very nice ones this year; one came from near Chapel Hill and the other was bought in Petersburg. I have not seen or heard anything from Tom or Stephen since I last wrote. I have no doubt but Tom is with Early, Stephen is still on the lines near the river.

I want you to do all you can to send me that boy. I am very anxious to get one. I have to pay $1.00 for each piece I have washed and a hard matter to get it done at that. I am feeling badly and will not write much more now and will write a long letter in a few days.

The boys in the Company are generally well. Several of them complaining but nothing serious. My love to all the family; kiss the boy. My regards to the old Col. Do write and let me know how Ike is. I fear he is quite sick and that is the cause of your not writing.

Goodbye.

Your affectionate Brother,

T. J. S.

Near Petersburg

Augt. 22nd/64

Dear Sister:—

I have been obliged to defer writing to you several days on account of active operations of the army in which our brigade has been engaged for the last day or so. On last Friday a position of our army moved down on the southern railroad some three or four miles from Petersburg and came across the Yankee 9th army corps engaged in tearing up the road. Our men drove them a mile or so and captured several thousand prisoners among them, one Brigadier General. The troops of ours that were engaged on the railroad on Friday came back within our fortifications and on Saturday night relieved Cooke's, Kirkland's and

other brigades to go down on the road that they had left. Sunday morning just at daylight our regiment took up the line of march and at 7 o'clock we were close upon the Yankees and were halted and formed in line of battle. After the elapse of an hour or so the brigade was ordered forward and some came upon the enemy's works, which the most of them had left very hurriedly and in bad order, leaving their tent flies, blankets, meat and even their cooked breakfast for our men, with some three hundred prisoners. Ransom's brigade was on our right and a little in advance and after carrying the first line of the enemy's works advanced to within two or three hundred yards of the second line and the Yankees poured such a hot and terrific fire of grape and canister into them they were compelled to retire which they did in no very good order. Our brigade suffered more, I expect from the grape and canister than Ransom's, it passing over their heads and striking in a position of our line which then had been thrown in their rear. Our brigade learning that Ransom's had been ordered to fall back to the first line of the enemy's works and form, also fell back to the same line which was only a few feet in our rear, while crossing over the works, I lost just one half of the men I carried into action. The casualties I will give you on a separate piece of paper. I hope I may never be called on to go through just such another firing ordeal while I live. Just at the time I was on the top of the works, right and left front and rear were lying the dead and dying, which had been stricken down at the twinkling of an eye and only a few moments before were the very pictures of health. Our regiment lost some 25 or thirty killed and wounded, out of that number my company lost five; I only took in ten guns, two of my men were on the skirmish line, one on the Color guard and the rest sick and excused from duty by the doctor, all together present now only number 15 or 16.

Capt. Dickson returned on last Wednesday. He came down to the trenches Thursday evening and staid an hour or so and then went back to our baggage wagons which are some five or six miles in the rear, to enter the papers and forward those that had been accumulating on our hands during the whole of the Campaign and also to finish up some unfinished pay rolls that I did not have time to finish. He returned to the company this morning and consequently was not in the fight on yesterday. I hope I will not have to go into another fight as long as I live, for the more I go into the more I dread them.

I received your letter of the 14th a few days ago and was more than glad to know that Ike was improving so rapidly. I would have been glad if he could have got home for the balance of the summer for this August sun in the sand I know must be almost unbearable and but for the sea breeze no human being could stand it. I forgot to say at the close of the fight, on Sunday the Yankees were still in possession of the railroad and I fear it will be some time and at a considerable cost of

life before we get them away from it. I hope I will not have to go down there any more. We came inside the fortifications last night about midnight. If you see any of Gov. Graham's folks tell them Robert is safe and well. I saw him after the charge yesterday. I have not seen Stephen since the evening. I gave him the vegetables. I expect he is well. I have not heard of Clingman's brigade doing any fighting since that time unless they were down on the railroad last week. I have been feeling better for the last two days than I have felt in the last three or four months. My vegetables are not all gone yet. I have a few beets and about one peck of potatoes yet. I will write to sister and Emmeline some time soon and thank them for their donations. As I don't like to write and may forget it, I will thank them through you, which will answer every purpose, as you can tell them at the same time I am pretty well. I am more than anxious to hear something from my negro. It does really seem that one could be had without very little trouble if some one would make an effort to get one for me. I can save money by having one. I have to pay one dollar a piece to have washing done. Do see some one and get me a boy and send him by the first one passing. There are a number of free boys in Dr. Allison's neighborhood. I should think Murdoch could get me one. Do all you can to get me one and send him as soon as you can.

All of the boys are well except three or four who are not dangerously sick, but unable to do duty. Fat Webb is not on duty, Strain is not on duty, D. Thompson is not on duty, C. Cooley is not on duty, Sam Scarlett and W. Crabtree and W. Boggs are at the hospital. Sam is at the field hospital, the other two are at Winder hospital, Richmond. Forcis is not on duty on account of his wound in hand which has not healed up.

All of the rest of the boys are well. I will close as I have written everything I know or can think of at this time. My love to all the family and inquiring friends,—the old Col in particular. Tell the boy I am well and kiss him for me. Write soon and give me all the news. I am always anxious to hear from home. Good-bye.

Your affectionate Brother,

T. J. Strayhorn.

P. S.

We have since taken the railroad.

Gettysburg, Pa.
July 24, 1863.

Mrs. H. H. Strayhorn.

My dear Sister:—

I am lying here severely wounded. I received my wound in the 2nd day's fight at Gettysburg. Was wounded in my left leg, below and through the knee. This is the 22nd day and my wounds do not seem to

heal fast. I feel that my race is about run. I am happy to say that I do not fear death, I have been endeavoring to "make my peace with God." Today I was baptized by Rev. Mr. Price, a member of the "U. S. Christian Commission." My grave, I suppose will be near a barn or house of Mrs. Weibles, 2 miles from Gettysburg. O that we may meet in heaven.

Your brother,

Wm. L. Nichols.

Maryland Battalion Infantry.

Williamsboro, N. C.
October 14, 1863.

Mrs. Harriet H. Strayhorn,
My dear Madam:—

It has become my duty to give you information of the death of your brother Lieut. W. L. Nichols, in Hospital near Gettysburg, Pa. about the middle of August last. He was wounded in his right leg, below the knee, erysipelas setting in, the wound proved fatal.

He was well attended by Dr. Whitehead, a Confederate Surgeon, and all was done for him which could be done under the circumstances. This information was gotten by me from a letter written to you by, I believe, a Dr. Reeves of St. Mary's Co. Maryland, which letter I would have brought with me but for danger of having it taken from me. I hastily therefore took note of contents and send as above. In the letter was your brother's ring which in his last moments, he desired to be sent to you. This, I retain, subject to your order for I fear it might be lost if enclosed in this letter. If I can get an opportunity to send by safe hands I will do so, and as soon as I can. I will take good care of it and send *only* by *safe* hands, unless you wish it to be sent by mail.

I am,
Yours respectfully,
Joseph W. Murphy,
Chapl. 32nd, N. C. I.

Gettysburg, Pa.
Dec. 7, 1868.

Maj. Thos. H. Hays,
Dear Sir:—

Sergeant Wm. L. Nichols is buried in the General Hospital grave yard in Grave, No. 14, in the first row. His grave is marked.

The remains *cannot* be removed to the Soldiers' National Cemetery.

(This is signed by David Wells, President Soldiers' Nat. Cemetery.)

THE FIRST CONSTITUTION OF ST. JOHN'S CHURCH[1]

Edited by John Baxter Moose

Some time ago a search for the oldest records of St. John's Church, in an effort to trace some family histories, brought this old constitution to light. The original copy of the document, in German script and in a fair state of preservation, is now deposited in a vault in the Concord National Bank, Concord, N. C. It is signed by its compiler, the Reverend Adolph Nussmann,[2] the first regular Lutheran pastor to serve this and other Lutheran congregations in this part of North Carolina. It is also signed by seven deacons. All the signatories promise to render faithful service and to obey the Church order. A similar obligation subscribed to by the schoolmaster is not complete, since a page has been cut out of the record.

This constitution was formulated and adopted for the government of St. John's congregation a short time after the close of the Revolutionary War. In the document the congregation is described as "this Evangelical congregation" and "the Evangelical Lutheran congregation at the German Buffalo Creek, Mecklenburg County in North Carolina." In the earliest minutes of the North Carolina Synod it is listed as "Dutch Buffalo Creek Church." The constitution was compiled in German by Pastor Nussmann from the "Church Order of our Evangelical Brethren in Smirna and that in use in England and Holland." It is not known where "Smirna" was located. The liturgy was adopted from that of the German Lutheran Court Chapel of St. James, London, and the Marburg hymn-book was introduced.

Pastor Nussmann served in St. John's from 1774 to 1794. He had arrived in North Carolina in 1773 and for a year or more served Organ (Zion) Lutheran Church in Rowan County and also the Lutherans in Salisbury. From the Lutherans' arrival in this section, about 1740, until Pastor Nussmann came, lay readers cared for their religious interests except as they were served

[1] This is a Lutheran church situated near Concord, Cabarrus County, North Carolina.

[2] The umlaut is omitted from the word, Nussmann, by the editor of this article, because it was not used by Adolph Nussmann in the manuscript copy of the constitution.

by German Reformed pastors. Desiring a pastor of their own faith, Organ and St. John's sent two laymen to Europe to secure a pastor and a school teacher, or pastors and school teachers. The result was the coming of Pastor Nussmann and a school teacher, John Gottfried Arend (Arndt), who was ordained to the ministry in 1775.

The lengthy detail of this constitution would not appeal to churches today. But it shows the serious effort put forth by Pastor Nussmann to provide the ministrations of the church and religious education for all. It is strict in doctrine and discipline for pastor, teacher, and people. It provides plans for securing future pastors and teachers and for their support. It is particularly interesting to note how it sought to provide for orphan children and persons in need, and for religious education, and, moreover, how the officers of the congregation are made responsible for these matters.

A few additional pages from the old church record, although badly mutilated, indicate the manner in which efforts were made to carry on and record the work of the Church.

Interest in this old constitution and the early records of St. John's Church was aroused recently due to the fact that on November 10, 1935, a monument to Pastor Nussmann was unveiled on the Church grounds, with services appropriate to the occasion. At the same time the congregation celebrated its one hundred and ninetieth anniversary. That Pastor Nussmann wrought well and laid a good foundation is indicated by the fact that St. John's congregation has been and still is a self-supporting country church, actively interested in all the work of Lutherans at large.

For the translation of this document from the German script I am indebted to the late Professor A. G. Voigt, of Columbia, S. C.

THE CONSTITUTION

Inasmuch as the merciful God out of special grace rescued our fathers from the darkness of the papacy and through the faithful service of the blessed Doctor Luther led them to the salutary knowledge of Jesus Christ and His sufficient merit; and moreover our parents have amid a thousand difficulties transmitted to us their children this holy religion and have had us instructed in it faithfully and uprightly according to

the pure and uncorrupted Word of God; therefore we acknowledge this blessing of our kind Father in heaven with due thanks and consider ourselves obligated to transmit this uncorrupted Evangelical religion also to our children and children's children, which then will be the best inheritance they can desire and ask of us their fathers. We regard ourselves all the more obligated for this reason, because God permits us to live in a land, in which Evangelical worship may be practised freely and without hindrance.

In order then that all and each may know in what they should abide and we may give a public testimony of the hope that is in us, and also that our brethren and fellowbelievers, both here and in Europe may be assured that we also in this newly arising church purpose by God's grace to abide earnestly and zealously by the once attained Evangelical truth and proper church discipline, we, as soon as the war, which for seven years divided minds so much [the War of the American Revolution], ceased and quiet and peace were restored in our country, took before us the Church Order of our Evangelical brethren in Smirna and that in use in England and Holland, noted carefully the condition of the country and other circumstances, and intentionally omitted nothing which has been found useful and practicable in our circumstances.

Our object in this Church Order is none other than the glory of God and the true welfare of our dear congregation.

The Lord, the Helper, who can do superabundantly above all that we pray and understand, be our help, our strong defence against the kingdom of darkness. May he destroy error, superstition and wickedness, and cause the kingdom of His Son to prosper in these wilds also to the glory of His name. Amen.

Of the Pastor

1. As this Evangelical congregation, if it conducts itself well, will remain in a constant connection with the honorable Consistory in Hannover and the University of Goettingen, there cannot easily be a lack in the future of learned and pious ministers. It only needs to resolve that it will have nothing to do with the vagrant preachers in this land, who are either unlearned intruders or educated men deposed in Germany. When a vacancy occurs, it should look to the Consistory in Hannover or the University of Goettingen. But if war or some other confusion in the country should hinder correspondence thither, then those who are connected with the honorable Coetus [Ministerium] in Pennsylvania are to be preferred to all others.

2. The pastor shall in the first place be and remain a pious Christian man, and exert himself most zealously to be a means for others to become Christians. He shall in the presence of his congregation and also of all other religious parties lead a blameless life, and avoid everything that might make his office or his person contemptible. He shall

moreover accept with heart and mouth the Symbolical Books of our Evangelical Church; also preach the doctrines contained in them, as he shall answer for this on the last day before the righteous Judge, our Lord Jesus Christ.

3. His special duties are these:

1) Not only to conduct the worship as prescribed hereafter with proper devotion, but also to build up the kingdom of God in the hearts of men.

2) To make the administration of the sacraments salutary for everybody.

3) To visit sick members properly when he is asked to do so. Nevertheless the members of the congregation are herewith admonished to send for the pastor in time and not to wait until the sick have lost consciousness, and also not to make the pastor ride in these wilds at night without necessity.

4) To arrange the burial of the members of the congregation in an edifying manner for the good of the living.

5) To care for the education and instruction of the children and the catechumens, and therefore, with the Church Council, the parents and guardians, to adopt such measures as may promote the salvation of the young.

6) That he keep the account books and other matters belonging to the congregation under his supervision.

7) That he exchange letters with our brethren of the faith in Europe, as soon as the desired peace permits, render accurate reports of all the circumstances of the congregations here, and according to the demand of the circumstances seek their council, help and assistance.

8) That he take counsel at the right time with the deacons of the church concerning the common good and the promotion of virtue and piety.

9) That he exercise most careful watchfulness over all the affairs of the church and the observance of this Church and School Order, without fear of man and partiality, and finally follow the apostolical injunction: "Take heed unto thyself and unto the doctrine; continue in them; for in doing this thou shalt both save thyself and them that hear thee."

4. In case the pastor should fall into such aberrations as are opposed either to his office or Christianity or should not attend to his office as is becoming, it is then the duty of the deacons of the church to make representation with modesty in regard to this, and it is his duty to heed such representation and to reform. If, however, he should nevertheless continue to cause offence, the matter shall come to the Church Council, and if still no change ensues, complaint shall be made to the contributing congregation, which shall then proceed with him as it

shall find to be right, and if he does not sincerely repent of his sins and pledge earnest reformation, depose him from his office and duties.

5. A written statement shall be prepared, in which the congregation calls the pastor, offers the office, specifies its requirements of him, and promises for his support a fixed annual remuneration. This statement shall be subscribed by the deacons of the church, and thereby it is declared that the pastor has been called in due form.

6. But since we have as yet no capital or permanent funds and the entire remuneration depends solely upon the voluntary beneficence of the congregation, we here remind the members of the congregation of what pertains to the support of the pastor in the words of the apostle Paul, I Thess. 5:12-13:—"We beseech you, brethren, to know them which labor among you and are over you in the Lord, and admonish you, and to esteem them very highly in love for their work's sake, and be at peace among yourselves." I Cor. 9:14:—"Even so hath the Lord ordained that they which preach the gospel should live of the gospel." Gal. 6:6:—"Let him that is taught in the word communicate unto him that teacheth in all good things."

Of the School

7. The care for the instruction of the young is one of the essential duties of an Evangelical congregation. That we have such ignorant and corrupt congregations comes primarily from the corrupt state of the schools. Whoever therefore thinks of establishing a congregation for Christ must begin with the children. The blessing of an improved school system will soon manifest itself, for the parents learn with the children; and on the other hand from a corrupt school system nothing else can come but a general corruption among young and old, as we alas! behold with our own eyes, since everybody confesses that after the death of the old people from Germany the whole Evangelical religion must go to ruin. Therefore we resolve in the fear of God:

1) That our special care shall be directed to the improvement of the school system, and that we will shrink from no labor and expense to raise our children out of corrupt ignorance. And since

2) Very much depends upon the person of the schoolmaster; the appointment and deposition of the school teacher shall be arranged by the entire Church Council, so that it is not allowed to every inexperienced person to introduce into the congregation drunken, dissolute, quarrelsome, ignorant school teachers, but it shall all be managed under the direction of the pastors, so that only those whom they recognize as competent shall be designated to keep school at the place where the need of the congregation requires it.

3) The person who shall be employed to conduct school must be brought before the Church Council and examined, and have testimonials of his competency and good character.

4) At each church a school shall be conducted always, in winter and summer, the schoolmaster of which is able to read, write, reckon, and lead the singing in the church.

5) The instruction of the young in Christianity must by no means be left to the discretion of the schoolmaster, but the pastor prescribes to the schoolmaster from week to week what he shall take up in it each time and in what order he shall do it.

6) After the school has continued a year, the young shall be divided into three classes. Each class has assignments which it must know, and will not be advanced to a higher without the previous knowledge of the pastor or his approval.

7) All parents shall obligate themselves by promise to send their children regularly to school. The Church Council, however, will keep a list of the young and carefully note which children are absent, whereby the age of the children and the monthly school list shall be consulted.

8) Besides this reading schools shall be conducted in the congregations during the winter from the first of October till the first of March, which shall be frequently visited by the pastor and prepared for the catechisations on Sundays, which shall be so arranged that the entire Catechism may be gone through twice a year in the church, and that in all the schools of the congregation and in all catechisations the same Catechism be used.

9) Since also the schoolmaster cannot fulfill his office with joy and must resort to all sorts of ways to earn money, and competent schoolmasters never will be obtained unless they are assured of their support, the congregation shall see to it that it purchases and owns a piece of land not far from the church and clears and cultivates about twelve acres of land for the schoolmaster by the members of the congregation in turn and at the right time, together with a good piece of pasture; and in addition it shall promise an annual salary and then send to him through the whole year as many children as it wishes, and shall use the school fees received for such improvements of the school property as the pastor and the Church Council shall deem necessary or useful.

10) All this which the congregation promises to the schoolmaster shall be summed up in a writing, in which also the schoolmaster promises fidelity and diligence in his office, obedience to the pastor, the Church Council and this Church Order, subscribed by both parties and preserved by the pastor in the archives of the congregation.

OF DIVINE SERVICES AND CATECHIZATIONS, THEIR TIME AND INTERNAL ARRANGEMENT.

8. The doctrine which is the foundation of our Evangelical Church shall be set forth according to the true and pure Word of God, and not

contradict the Symbolical Books derived from it; the controversial points must be explained with modesty and vices reproved without naming or describing persons with gentle earnestness; and because we are surrounded on all sides by all sorts of sects and even among us there are many who have been brought up in erroneous opinions and even without knowing it have much of their errors about them, the good people shall be built up and firmly grounded through correct and diligent instruction and a constant inculcation of the salutary doctrine in order that they may on all occasions be able to give a reason of the hope which is in them.

9. The Service shall be conducted as has been done heretofore, yet so that first a selection from the Bible shall be read by the schoolmaster, then the hymn, "Lord Jesus Christ, be present now," a prayer adapted to the other parts, and reading of the Epistle, then the principal hymn, and thereupon the sermon, after which, when two or three stanzas have been sung, the instruction in the Catechism follows, a prayer is read, and the benediction is pronounced and a stanza is sung in closing.

Add. According to the Order as stated more definitely in the Appendix.[1]

10. The hour of the service has hitherto been at 10 o'clock for the benefit of those who live far away. But if the congregation should ever resolve upon an afternoon service, the morning service would then begin somewhat earlier, and the instruction in the Catechism and the review of the sermon would take place at 3 o'clock in the afternoon in summer and at 2 o'clock in winter.

11. The Liturgy which has been hitherto used as a basis is that printed for the German Lutheran Court Chapel at St. James in London, against which nobody has as yet made any objection. But if our German brethren in Europe were to arrange it a little according to our circumstances, this also would surely be gratefully recognized. The Marburg Hymn Book, which has been reprinted in Germantown and Philadelphia, shall likewise be used at the public services until others can be introduced.

12. The administration of the sacraments, these holy institutions of Jesus, shall with the assistance of His grace take place among us with becoming reverence.

1) Holy baptism shall, unless special circumstances prevent, take place on Sundays and holy days after the service in public assembly. Non-Protestants, those who have not yet been to the holy Communion, those who do not affiliate either with the Lutheran or Reformed congregation, and those excluded on account of vices, shall not be received as sponsors. And because in this wild country most sponsors keep

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[1] This note is in different ink. At the close of the Order in apparently the same ink is the more precise Order of Service and other matter including the signature of Adolph Nussmann, pastor.—Translator.

their word badly, in every instance one of the Church Council and in its name shall represent the place of a sponsor. The parents of the child must announce themselves before church, in order that arrangements may be made accordingly and after the baptism shall have the names of the child, the parents, the time of birth and the sponsors inscribed in the Church Record.

2) No one of the natives shall be admitted to the holy Communion unless he is a member of the congregation, for all who wish to bear the name of Evangelical Christians in truth must hold to this Church Order. Whoever is not confirmed or is excommunicated shall be excluded from it. Foreign newcomers or persons who reside over twelve miles away shall be admitted, if they credibly affirm that they have already participated in the holy Communion elsewhere or will have themselves confirmed here, and furthermore no hindrance exists. Under existing circumstances it shall be celebrated four times in the year. Four weeks in advance this shall be publicly announced from the pulpit, and published by written notice at Coldwater, Buffalo Creek and Rocky River. Eleven days in advance a day of repentance and prayer shall be observed for preparation, at which time the names shall be made known to the pastor; on the day preceding in the afternoon at one o'clock shall be the special preparation.

13. In reference to Confirmation this arrangement shall be made: The incumbent pastors shall see to it that not only children within this congregation, but all who desire the holy Communion for the first time, are instructed in doctrines of faith as well as of life, the children from November to Easter and the others as circumstances permit. The children of the congregation must give account and answer concerning their faith on the preceding day publicly in the church, but the strangers in the presence of the Church Council, and then if they are approved they shall be received as members of the congregation after the sermon on Communion day in the manner prescribed in the liturgy. In this connection it is to be observed that before the Confirmation takes place, those to be confirmed, whether male or female, shall have read this Church and School Order and signified their submission to it by their subscription.

14. Every year on the first Sunday in Advent there shall be publicly read the children baptized during the preceding year, the names of the deceased members of the congregation, the newcomers, the church funds on hand, and the names of the benefactors who have donated more than three pounds, out of love to the congregation.

OF THE CHURCH MEMBERS

15. The members of this congregation regard themselves as a spiritual body, which is joined together in their Head, Jesus Christ, by the bond of the Gospel and the holy Sacraments. Considered as such,

they are not bound to civil arrangements, but as free and independent persons they resolve by majority of votes voluntarily upon such laws, as are grounded in the Word of God and indicate an agreement with their brethren in the faith in Europe, and after they have so resolved they diligently conform thereto.

16. Since many in this free country claim to be Evangelical in whom nothing evangelical except the name is found, we here declare publicly that we will regard as our brethren in the faith only those who attend the public divine service, as far as the distance of the places permits, direct their children to school and instruction in the Catechism, live in no public vices, and by subscription of their names obligate themselves to the observance of this Church Order as far as possible. But foreign newcomers, who have not yet been members of a congregation in other places and natives of age must first be confirmed and then subscribe the Church Order.

17. The advantages of such a Church fellowship are the following:

The members of the congregation have the right to ask the public intercessions of the congregation in their spiritual and bodily necessities.

They have claims upon the sacraments, baptism for their children and the holy Communion in days of health and sickness.

The male members of the congregation have a vote in all meetings of the congregation and in the election of the Church Council, and the most worthy the privilege of being elected in preference to their brethren.

In sickness all Christian comfort will be imparted to them.

After their death their burial will be provided for in the cemetery here, in which no others but members of the congregation or those who otherwise have deserved well of church and school institutions, shall be buried, and the entire congregation and also the school will follow the corpse.

Their names will be entered upon the Church Record, and if children survive them, such measures shall also be taken by the Church Council for their Christian education as may reasonably and equitably be expected.

18. The duties of the Church members are these. Philippians 4:8:— "Brethren, whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report, if there be any virtue, and if there be any praise, think on these things."

1) It is the duty of the unmarried to lead a careful and chaste life, to be obedient to their parents, not to use their freedom as a cloak of wickedness, to attend the catechizations diligently, to bring the Bible with them to church and to turn to the passages referred to, and not to remain away from church unnecessarily, also without much talk and with good manners to take a seat at the place assigned to them by

the church deacons. A child of God will never resist a Christian regulation. In getting married, although they may be free, to respect the judgment of their parents; but if these should be opposed to it, to seek advice from the Church Council, who will keep silence. In the choice of a husband or wife to select preferably persons of their own religion, but if they marry others, not to take it amiss if the Church Council has a regard for the upbringing of the children and to allow it to make such an arrangement in the matter as is equitable and to anticipate all disputes; to have the banns pronounced according to the law of the land three Sundays before the wedding; also not to employ any other but their own minister.

2) It is the duty of the married to observe the glorious marriage rules which Christ and His apostles have bequeathed; they must not neglect family worship, direct the children to church and school, bring them up in the fear of God and protect them against all seductions in faith as well as in conduct.

Since it often happens in this country that children after the death of their parents are thrown upon the world, badly cared for or brought up like brutes without the knowledge of God and Jesus Christ, they shall appoint in their wills, besides the executors to be chosen, the Church Council as a co-guardian over the children and a co-executor of their wills, and if this should be otherwise neglected, they solemnly confess with this subscription that this is their will.

Of the Church Council

19. Every two years on the first Sunday in Advent three deacons of the Church shall be elected by the most votes of the congregation. Every confirmed member of the congregation shall write three names on a small ticket and hand it over to the pastor before the altar, and he shall open the tickets after they are all together and announce the persons who have the most votes. The outgoing officers shall turn over to those incoming all matters belonging to the Church which had been committed to them, and although they are no longer deacons, they shall continue for two years more as members of the Church Council. This therefore shall consist of the pastor, three church deacons and three former deacons or church elders.

20. As the entire congregation places its confidence in this Church Council and by the election transfers to them their rights, these must be all the more careful to show that they are worthy of the confidence reposed in them, not to injure their own conscience, and to be able to give account of all their undertaking to the whole congregation, whose representative they are, and also to our benefactors in Germany. They must

1) Have a watchful eye upon the entire congregation.

2) Care for the young, keeping an accurate list of them both as to what pertains to their age and other circumstances and also their employments.

3) Maintain good discipline before, during and after the divine service, so that everything may proceed in an orderly way.

4) Observe the conduct of the pastor and the schoolmaster.

5) Care for their support and collect it quarterly in the year.

6) Exercise care for the orphan children of the congregation so that they may not lack food and clothing or Christian education.

7) Relieve the members who are in need as far as may be done.

8) Keep up steadfastly the whole Church Order, as far as possible, and the school system.

9) Be reticent in regard to secrets entrusted to them.

10) Assemble once a month and choose a fixed place. At this meeting after a short prayer

1. The business shall be clearly stated.
2. The reasons for and against it presented and considered
3. Resolved by a majority of votes what is to be done or not done.

In important cases the entire congregation shall be called together, which call shall be made publicly from the pulpit or else posted at several places within the congregation. At such a meeting

1. The opening shall again be with a short prayer.
2. The business shall be clearly stated.
3. The reason for and against it shall be heard.
4. If there is unanimity, so much the better.
5. If there is not unanimity, the votes shall be counted and whatever the majority affirms or denies shall be the law and it shall be recorded in the protocol with a note of the number and names of the approving members.

21. The money which is collected in the Church on Sundays shall always be recorded in two small books, one of which shall be kept by the deacon who keeps the money, the other shall be kept by another deacon.

The deacons shall not let the money which belongs to the congregation lie idle, but with the knowledge of the others they shall seek to increase it either when driving to market or in some other way not too risky.

Every six months an orderly Church accounting shall be made, and receipts and expenditures shall be entered distinctly in the Church Book, so that every member of the congregation can be informed concerning the receipts and expenditures and also how much the congregation has on hand or may owe.

Of Church Discipline

22. Nothing is in general more becoming to a congregation of Christ than a well-ordered discipline, Matthew 18:15ff. The Church cannot govern its children without observing a paternal discipline; however,

this is not to be exercised by constraint, but by brotherly affectionate admonition, so that a sinner may know and feel that it is not a matter of domination over him, but only and alone of his amendment and his own true welfare. To this end the monthly meetings of the Church Council shall never be neglected; on the contrary in them shall be considered what may contribute to the edification and progress of the Christian Church, and the plain and affecting preaching of the Word of God, the salutary attentive hearing and review of the same, the administration of the sacraments, the improvement of the schools, the instruction in the Catechism, the care and Christian upbringing of the young and the orphans, or what causes offence in the congregation either by false doctrine or by wicked life and how this is to be prevented. On these things each of the deacons shall express his views; the opinions shall be collected; the pastor shall add his; what is concluded shall finally be written in a book; what is written shall again be read, whether it is observed or not; if not, a note shall be made on the margin and it shall be stressed more urgently. These meetings shall never be omitted except for the most important reasons.

23. If a member of the congregation shall fall into manifest obnoxious sins, e. g., blasphemy, perjury, fornication, adultery, mocking of religion, open unscrupulous cheating, drunkenness, falling away from religion, or such like, so that these vices have been publicly committed and have not been done from haste and thoughtlessness, but maliciously and deliberately, he shall be

1) Summoned three times before the pastor. If he shall appear, his grievous sin and the unhappiness in which he is and into which he is plunging by it, shall be held up to him earnestly and impressively, yet affectionately and kindly, and he shall be pled with to cease the offence and to prevent his own misfortune.

2) If the one admonished shall promise amendment and keep the promise, all shall be well; but if he shall not appear before the pastor, or if no amendment follows and the sinner stubbornly continues in his former wicked ways, he shall be summoned before the Church Council and there be earnestly admonished. This admonition shall be made with premeditation, in such a way that the disgrace and injuriousness of the sin shall be explained from God's Word and exhortation to true sincere repentance be given, care being taken to do nothing from hatred, envy or anger, but with Christian love and courtesy and with no other aim than the amendment of the sinner.

3) If he shall not appear before the Church Council nor confess his offence, when it has certainly become known, and shall promise no amendment, then it shall be ordered by the Church Council that the matter shall be made known to the whole congregation from the pulpit after the sermon. This announcement shall be in these terms: Whereas N. N. has unhappily to the disgrace of the name of Jesus allowed

himself to be seduced to follow his evil fleshly lusts and to consent voluntarily to the sin of (name of the sin) and stubbornly to persist in it without any indication of amendment, it becomes necessary

a) To explain to the whole congregation what a grievous sin this is, in order that it may be shunned by all and that nobody will participate with them in it.

b) All members of the congregation shall be exhorted to warn and admonish him at every opportunity.

A public prayer shall be made, that God would convince and lead to repentance this man, who now for so long a time has persisted in impenitence and whom the congregation can no longer look upon as a member of it, in order that the congregation may, like the angels in heaven, rejoice over a sinner that repents and be able to receive him again into its bosom, which then it heartily wishes. From then on until his amendment the sinner shall no more be looked upon as a member of the congregation and shall forfeit all the privileges of the members of the congregation. Nevertheless he may attend the public service, and at every opportunity he shall be exhorted to amend. If amendment shall follow, which may God grant, he shall again be publicly received into the congregation, on which occasion he may remain standing in his place in the Church, but nevertheless must openly affirm the question of his amendment.

Appendix

1. Because in this country books are so scarce and most of them cannot be had for money, provision shall be made that by the assistance of our brethren in the faith in Europe a general library may be established for the pastors of the united congregations, from which the pastors can take books for their use, because it cannot justly be demanded that the pastors shall purchase these for themselves. We will therefore in a proper way petition our benefactors in Europe for them.
2. There shall always be on hand a small supply of such books as are necessary for the congregation at public divine service and for the school.
3. As it has caused a great difficulty for the teachers hitherto to the disadvantage of the young that so many kinds of catechisms have been in circulation, and we receive from Pennsylvania now one kind, now another, that which has been used hitherto at the confirmation of children shall ge generally introduced until our brethren in the faith and benefactors in Europe shall order another, and to them we will gladly be obedient.
4. The necessary correspondence with Hannover, Goettingen, and also with brethren in the faith in other places in Europe shall be carried on as heretofore most attentively. The pastor shall send a letter every six weeks, and at every New Year in coöperation with the Church

Council a general letter. The congregations will therefore by the aid of divine grace so conduct themselves that many praiseworthy things may be written about them to Germany. The replies from there, which are addressed to the congregations shall be read two or three times to the assembled congregations as circular letters.

5. Our congregations shall, according to the apostolical injunction, as much as lies in them have peace with other, especially Protestant congregations, and with the latter in particular maintain a brotherly friendship for mutual edification.

6. This Church and School Order shall be read publicly every Fourth of July, on which day our Church was dedicated; and if it should be prevented then, this reading shall take place on another occasion, and this shall be announced the Sunday before, in order that every one may remember his duty and nobody may plead ignorance as an excuse.

7. No person, whether male or female, shall be recognized as a member of the congregation, unless he knows the contents of this Order and has subscribed the formula appended below, and if he cannot write, has it subscribed by some one else in the presence of witnesses. Nobody shall become a member of the Church Council unless after the election he publicly makes his pledge in the formula prescribed therefor. The pastor likewise, as also the schoolmaster, must pledge in writing their submission to this Order.

8. The formulas, which serve instead of Oaths, are the following:

1) For the Pastor

I, who by the grace of God have been called and appointed as the pastor of the Evangelical congregation here, testify hereby before God to the Church Council and the rest of the congregation that I will by the grace of the Holy Spirit render all possible satisfaction to my office as shepherd, and that I will subject myself to the local Church Order.

N. N.

2) For the Deacons

I, N N, who by the majority of the votes have been elected as a Church deacon and member of the Church Council, testify hereby before God to the pastor and the rest of the congregation that I will fulfill strictly, in addition to my duties which rest upon me as a member of the congregation, the duties of a Church deacon and I will live according to the local Church Order and care for the affairs of the congregation as for my own.

3) For the Schoolmaster

I, who by the grace of God have been called as the schoolmaster in the Evangelical congregation here, testify hereby before God to the Church Council and the rest of the congregation that I will strictly fulfill my duty as schoolmaster, as God shall give me strength, and I will live according to the local Church Order.

4) For the Members of the Congregation

We, subscribers at the end, who by divine grace will hold to the Evangelical Lutheran congregation at the German Buffalo Creek, Mecklenburg County in North Carolina, testify hereby before God that we will by His grace endeavor to lead an upright life according to His holy Word, and will subject ourselves to the local Church Order.

9. This Church Order shall be transcribed in the Church Book, and the pastor, the deacons, the Church Council, the schoolmaster, and all the confirmed members of the congregation, men and women, shall subscribe it.

10. All and each of the inhabitants of our vicinity, who profess to be Evangelical, shall be asked by one of the Church deacons with witnesses whether they wish to hold to our congregation and live according to the Church Order, without which we cannot regard them as members of the congregation.

11. By this Church and School Order all former customs, as far as they contradict it, shall be abolished. But if necessity shall require that something shall be changed in this Church Order, the congregation must be called together, without whose consent no change can be made.

12. This Church and School Order shall be sent to Germany to our brethren in the faith and our patrons, and if these deem it well to change it or to add anything to it, the congregation shall be called together, the alteration shall be distinctly explained to it, and the change shall be adopted by a majority of votes.

13. We have the confidence in our benefactors and patrons in Germany that this Church and School Order, especially if the pastor is able to assure its punctual observance, will serve them instead of much recommendation.

14. The Order of Service, which is stated in ♯9, is really this:—

1) A hymn of praise.
2) A collect and the reading of the Epistle.
3) The principal hymn, suited to the season or the sermon.
4) The reading of the Bible.
5) The Creed or a short Sunday hymn.
6) The sermon, during which one or two stanzas of a hymn shall be sung. After it the prayers and thanksgiving.
7) Several stanzas sung.
8) A catechization, not too long, on a part of the Small Catechism of Luther, with which one or another principal verse is to be combined.
9) One of the long prayers, which is suited to the catechization or the sermon or the season.
10) The benediction.
11) A closing stanza.

15. God, the good God, help our poor, forsaken and uncultivated congregation, so that saving knowledge of Jesus Christ and the truths of salvation may find a firm foundation among us upon which virtue and piety shall be built among young and old, which then with the help of God is our earnest purpose; and then so that our patrons in Germany and England may be moved by these resolutions, which may God strengthen, and so guided that there may no longer be as hitherto a lack of the pure proclamation of the Word of God and of the necessary catechization of our youth, so that while we still live we may see that our children after us shall not suffer a want of the words of salvation.

I, who by the grace of God have been called and appointed as the pastor of the Evangelical congregation here, testify before God to the Church Council and the rest of the congregation that I will by the grace of the Holy Spirit render all possible satisfaction to my office as shepherd and that I will subject myself to the local Church Order.

Adolph Nussmann, Pastor.

We, who by the majority of votes have been elected as Church deacons and members of the Church Council, testify hereby before God to the pastor and the rest of the congregation that we will fulfill strictly, in addition to our duties which rest upon us as members of the congregation, the duties of Church deacons and will live according to the local Church Order and care for the affairs of the congregation as for our own.

Paul Barringer, Senior

Marx Haus	Nicholas Reitnauer
Jacob Fegert	John Behringer
Jacob Dim	Peter Quilmann

I, who by the grace of God have been called as the schoolmaster in the Evangelical congregation here, testify before God to the Church Council and the rest of the congregation that I will strictly fulfill my duty as schoolmaster, as God shall give me strength, and

[Here a page is cut out. The Church Order ends here. There follow two pages in another handwriting containing actions of two meetings of the Church Council. The pages are mutilated.]

[Top of leaf mutilated]

[S]ept 17 . . . was resolved that if [?] the high benefactors [?] in Europe will have the kindness towards this our Evangelical congregation at Dutch Buffalo Creek, Mecklenburg County, and appropriate to them the 90 £ sterling, still backstanding and safely deposited in London, as the property of the Church and congregation, then shall

1. This sum always be regarded as a fund which belongs to this congregation.

2. From the interest the salary of the pastor shall be supplemented.

3. It shall be permitted to nobody, without the consent of the benefactors, to take anything from the capital.

4. This sum shall not be sent over in coin, but since the congregation desires books, especially some of those which the learned philanthropists in Helmstaedt, the Abbots Velthusen and Henke and the Professors Crell, Klugel and Bruns, have written for the benefit of the Christian religion in America, of which one part is to be printed after Michaelmas and the other after Easter, request shall be made to purchase these books, especially the first four, and to send them over strongly but not expensively bound.

5. The entire society or one of them by order of the society shall be permitted to take up these funds or part of them and apply them to the purchase of the books named which are to be sent over.

6. This shall be recorded in the Church Book.

7. The chest in which the above books are should be marked M.C.D.B.C.

The above was transacted and resolved on Sept. 30, 1787.

1790, January 16th . . . [mutilated] Council

The assembled members were Paul Beringer, Peter Quillmann, George Meissenheimer, Daniel Jarret, Matth. Meyer, Nicholas Reitenhauer, Jacob Fegert, Andrew Stauch, Ulrich Duerr, Jacob Bast, and Adolph Nussmann.

1. Paul Beringer was elected chairman or president.

2. The purpose of our meetings is with all concord and the most upright integrity to promote religion and Christianity in church and school.

3. Resolved, that before the divine services on Sunday the doors shall no more be locked. When about half the congregation is at the Church, the door shall be opened and the service shall begin about 10 o'clock. Disorderly persons, however, who disturb the service shall be reported to the judge. The service shall begin without further calling in.

4. At the celebration of the Lord's Supper the alms shall be collected at the door. The members of the congregation are requested to be married in the Church, and on this happy occasion they and the willing guests are asked to offer an alms upon the altar, as is the custom in many parts of the Evangelical Church.

5. If gossip occurs out of which discord may arise, it shall be reported to our chairman and president, Paul Beringer, and he shall investigate the matter and do what is serviceable to the interests of the Church and religion.

6. As one member of the Church Council is lacking, two from the congregation shall be proposed, Jacob Time and John Melcher. The members of the Church Council were for the former.

7. Those who seek holy baptism for children must announce themselves before the service, and give the name of the sponsors, and have the birthday of the child and the names of the parents written.

On June 10, 1798 as the first Sunday after the festival of the Holy Trinity there were elected as elders and on June 24, 1798 solemnly installed in this office with prayers by me Adam Nicholas Marcard and appointed for the time of their life the following six men:—
1. Paul Berringer 2. Jacob Bast 3. Jacob Mueller 4. Andrew Stauch 5. Nicholas Reidnauer 6. John Berringer.
On April 22, 1798 as Sunday Misericordiae Domini there were elected as deacons and on May 6, 1798 solemnly installed in this office with prayers by me Adam Nicholas Marcard and appointed for three successive years:—1. Abraham Meissenheimer. 2. Valentine Veget. 3. Michael Walcher.
As deacons in the congregation at Crooked Creek I installed on Nov. 11, 1798:—1. Conrad Cramm 2. John Herche. Also on that day the Church there was dedicated by me.

1808, July 28th Church reckoning was made. Present were Nicholas Reitenauer, Jacob Bast, John Geo. Ritsche, Gottf. Feil, Pet. Tiem, Paul Ba - - - - - er [ink is faded]. It was found that the congregation had forty-five pounds, 10, 6 in money and notes.

L. Storch.

1810, Dec. 20th reckoning was made, and it was found that the congregation has on hand today sixty-eight pounds, 19, 1

68,19,1 L. Storch.

It was unanimously resolved that nothing of the Church funds shall be expended on the schoolhouse by the Church.

L. Storch.

1812, May 30th reckoning was made and it was found that the congregation has on hand today sixteen pounds 8 shillings 2 pence.

£ 16,8,2. L. Storch.
by Will. Werner.

1813, Aug. 14th reckoning was made and to the above sum of £ 16,8,2 there came in £ 13, 12 shil. in notes and £ 6,4,3 in money, hence there is on hand thirty-six pounds 4 shil.

L. Storch.

1814, Aug. 6th reckoning was made and the Church keeps on hand fifty-four dollars 75 cts.

$54,75 L. Storch.

1815, June 17th there remained on hand to the Church fifty-five dollars, 1 ct.

$55, 1 L. Storch.

1818, Feb. 28th there remained on hand in Money £ 17,7,7 and $47.55 in notes, and 2 dollars more.

L. Storch.

1820, Dec. 23rd there remained on hand 109 dollars, 94½. This sum was turned over to John Ritsche for safe keeping.

L. Storch.

[In addition to actions of the Church Council under Pastor Nussmann and his successors, Pastors Marcard and Storch, the following is recorded in large script.]

A list of what each one, who belongs to the congregation at Buffalo Creek, voluntarily gave towards the silver over gold chalice, which we bought from Pastor Nusman, to-wit:

	£	S	d
Paul Beringer		10	
Nicholas Reidnauer		10	
John Beringer		10	
Jacob Mueller		10	
Jacob Feget		10	
Leonhard Seitz		5	
Martin Herche junior		3	6
George Meisenheimer		4	
Christian Seitz		3	
Jacob Herche		3	
Carl Doerr		2	
George Wilhelm		5	
(Carr'd Forw)		75	6
John Hegler junior		5	
John Hegler		4	
Christopher Horlacher		3	
Christian Horlacher		4	
William Heinzeman		4	
Frederick Muelster		4	
Jacob Meisenheimer junior		4	
Michael Weinkauf		4	
Thomas Mach		4	

	£	S	d
Jacob Mutschler		5	
Frederick Fesberman		5	
Peter Meisenheimer		2	6
Philip Doerr		2	6
John Meier		5	
Frederick Bleyler		10	
Peter Weber		2	6
George Beigleyder		2	6
Peter Quilman		2	
(Carr'd Forw)		148	6
George Gudman		3	
Henry Walcher		3	
Adam Walcher		4	
Michael Fesberman		3	
Michael Gudman		3	
Michael Weiser		5	
Henry Fesberman		2	6
Jacob Weber		2	6
Mathias Bem		4	
Martin Doerr		4	
Michael Walcher		4	
Ulrich Doerr		2	
Daniel Cherret		5	
Jacob Bast		7	
Henry Rietsche		5	
Matthias Mutchler		3	
Frederick Beck		5	
Barbara Lauder		2	
Philip Kercher senior		5	
(Car'd Forw)		220	6
John Melcher		10	
Henry Weber		5	
Louis Fischer		2	6

[From this point the writing changes from engrossed letters to ordinary script. From here on the handwriting is that of Pastor Marcard.]

Andrew Stauch		2	6
Carl Sefried		4	0
Andrew Doerr		2	0
Valentine Feget		2	6
Godfried Leib		2	6
George Bast		4	6
Philip Hegler		2	0
Philip Kercher senior		5	0

	£	S	d
Paul Kercher		3	0
Charles Bernhard		2	3
John Meissenheimer		0	10
Andrew Kercher		2	0
Jacob Bernhard		2	0
Jonathan Herzel		2	0
Reinhold Abenschein		2	0
Melchior Fogelmann		5	0
George Kercher		2	6
Abraham Meissenheimer		4	0
Elias Hauss		5	0
Isaac Blackwelder		5	0
(Car'd Forw)		298	7
Jacob Meissenheimer senior		3	0
Matthias Neajer		4	0
	S.	305	7
		155	7

BOOK REVIEWS

SOUTHERN REGIONS OF THE UNITED STATES. By Howard W. Odum. (Chapel Hill: The University of North Carolina Press. 1936. Pp. xi, 664. $4.00.)

No region of the United States arouses in other parts of the country as much interest as does the South. One element of this interest is sentimental, another sociological, a third literary. The nation is of its own accord obeying the command to look away to Dixie.

Professor Odum's new book about the South is a strangely powerful one. It is encyclopædic in its scope, with an amazing assemblage of facts on every aspect of Southern life; yet instead of causing the reader bewilderment, the catalogues, maps, charts, and data hold him with a fascination which rapidly transforms mere scholarly interest into personal enthusiasm. Better than any poem or novel could do, this book convinces one that there are still worlds in America to conquer. After 1890 there were no more frontiers to absorb the energies of our people; but then began our period of intensive, rather than extensive, development.

In contrast to the sectionalism of the country, which makes one point with pride, resent criticism, worship the past, and calumniate other sections, this book sets forth the idea of regionalism. The South which fought the Civil War has, by reason of economic development and the migration of people, ceased to be a unit. After setting up seven hundred indices of measurement, Mr. Odum finds that Missouri, Maryland, and Texas are not in the same grouping as their neighbors, Kentucky, Virginia and Louisiana. There are, by these measurements, six regions in the country: the Northeast (in which Maryland is included), the Southeast, the Middle States (including Missouri), the Northwest, the Southwest (Texas, Oklahoma, New Mexico, and Arizona), and the Far West. It is primarily with the eleven states of the Southeast that the author is concerned.

The indices, enumerated and elaborated in the book, are reënforced by at least six hundred maps and charts; these, together with the text, give a comprehensive view of Southern culture when set side by side with that of other regions. Mr. Odum has a vivid sense of the past, but he has more—a realistic view of

the present. His maps show the superb (if latent) natural and human resources of the region, and then the technical deficiencies in their development and the waste of these resources. He depicts the dramatic struggle the region is making to live a fuller life, and at the same time the complex handicaps and problems to be overcome. In a day of scientific realism, *Southern Regions of the United States* meets every test of science and common sense with the result, not of disillusionment in the face of complexity, but of an exciting triumph capable of being achieved.

The South has probably enjoyed some of the sentimental regard showered upon it, has been amused at certain illusions of Northerners about the section, and has certainly resented the patronizing missionary attitude of outsiders who know the answer to every question. All of these states of mind have fostered a narrow local-sectional rather than a regional feeling. The essence of regionalism lies in the development of the Southeast (and of the other regions) as a part of "an effective reintegration into the national picture." Mr. Odum never allows one to forget this essential point. Neither does he delude himself about the difficulties (many of them psychological) of any sort of planned development. One difference between what has recently been called national planning and what is discussed here as regional planning is that the latter can be based upon intimate, accurate knowledge and carried forward by natives who understand and love the region.

Although this is a book about the South, most of the maps and charts present the figures and facts for the whole country. This procedure not only shows the Southeast in contrast to the other regions, but more particularly indicates the chasm in every region between potentialities in physical and human resources and actualities as measured by facts.

Regional planning, difficult as it is, emerges in this book as a necessity for the Southeast. The tenant farmer, the Negro, the mountaineer, and all the underprivileged groups in the region are multiplying. The immaturity and vitality of these folk may lead them either to superior achievements or to pathological developments. Old ways in the South, with all their accretion of tradition, can be kept, but may be powerfully supplemented by

working plans and procedures. Without any attack upon the nostalgic agrarians of the present day, Mr. Odum's book demolishes their whole position. (How a few facts can deflate a philosophical balloon!) Yet the South can have, if it will, a rich, new agrarianism; this might not satisfy the yearners, for it would be based upon a progress for the whole people of the region. There is, indeed, in this book small comfort for those who mistrust progress.

It seems captious to criticize details of so revealing and important a work as this. At first sight, it is not a book to be read through; yet, because each section of it lures one on, it is annoying to find rather frequent repetition of certain facts and ideas and even phrases. Possibly the author wished to be sure that he had made his point. The strongest sections are those dealing with economic conditions, the weakest those on culture—which, after all, is difficult to measure or describe. It would seem fair, however, if schools, libraries, and theatres are counted, that there should be some consideration of music and art schools, museums, and schools for architects; since politics is given a general treatment, that there should be an analysis of town, city, and county political techniques; and, along other lines, one could desire an account of actual rates of divorce, of juvenile delinquency, of provisions for orphans and for the aged. Has the Southeast any courts of domestic relations? The region is religiously the most pronounced in the country; are its ministers well trained? And are they trained in the South?

The answer to this criticism would probably be contained in the statement that the economic folkways of the region are the basic ones; as these change, so also will the secondary cultural folkways change, even if more slowly than the economic ones. And it is probable that no more acute analysis could have been made of the economic resources and deficiencies of the Southeast than Mr. Odum has carried out.

What the book does par excellence is to reveal the South to the Southerner. I speak as an expatriate Virginian and North Carolinian when I say that what Mr. Odum has set forth makes me long to return to the South to participate in the most significant work that is being done in the United States at the moment.

But I speak as a dispassionate social scientist when I say that the country owes a debt to the University of North Carolina, its department of sociology, and Mr. Odum, not only for this work, but for the steadily increasing prominence of all of them.

James G. Leyburn.

Yale University,
New Haven, Conn.

Benjamin Franklin: Englishman and American. By Verner Winslow Crane. (Baltimore: The Williams and Wilkins Company. 1936. Pp. 142. $1.50.)

This study, delivered as the nineteenth series of the Colver Lectures at Brown University, is a stimulating interpretive analysis of Franklin's thought in successive periods. It is presented in a readable and convincing style, and in a smoothly developing argument. That is something of a feat in organization, for the complexity of Franklin's ideas, the breadth of his appreciation of various viewpoints, and the volume of his writings make the development of his mind no easy matter to follow. That very diversity of interests and his fluctuation of opinions are well illustrated. They represent, as Professor Crane concludes, no real instability of purpose, but rather a flexible mind. The task of analyzing it is complicated by the existence of several different types of writings by Franklin, including a number of anonymous works and marginalia which embody more frankness than the author's caution might have allowed him to enjoy otherwise.

The title "Education" appears almost too restricted for the first lecture, although the theme is the influence on Franklin's growing mind of environment, self-teaching, the peculiar circumstances of the printer's trade, association with other colonial leaders, and the experience of the deputy-postmaster generalship. For in addition Professor Crane shows much of Franklin's contributions during this formative period to colonial literature and to the study of history.

The second lecture, dealing with the period from 1751 to 1765, is perhaps the most stimulating for those many readers who know nothing of Franklin beyond the aspects he most carefully staged for them and their kind, the general public of his day. Those were particularly the homely morals of Poor Richard and

the brilliant public feats of Franklin the colonial agent and the diplomat. Back of those were Franklin's personal beliefs and what he chose to think about. One might dispute the title of this lecture, "Benjamin Franklin as a social philosopher," since the author recounts the conscious transition of his subject from a youthful moral theorist to a practical social critic. Franklin's decision not to be a philosopher is illustrated in his statement that "The great uncertainty I found in metaphysics disgusted me, and I quitted that kind of reading and study for others more satisfactory." There is shown to have been more profound thought, nevertheless, behind the practical expressions than has generally been thought.

The last two parts cover Franklin "and the British Empire," emphasizing "the Franklin of the anonymous propaganda, and the Franklin of the note-book and closet," rather than the better known public figure. The conflicts in which he found himself, between his conciliatory dreams of a liberalized empire and his confidence that in time the growth of population and trade would bring the Americans to a full self-realization, or between imperial federation and colonial home-rule, appear again as testimony of his mental versatility and prescience. Evidence is cited of the fact that he conceived many political ideas before most of the other colonial leaders, but that his prudence restrained premature pronouncements. Among them was the theory that British sovereignty over the colonies was only royal, not parliamentary—a theory which he visualized years before it became a major issue.

The book brings together in one analysis various facets of our knowledge of Franklin, leaving the conviction that the process is justified by the depth and clarity of that remarkable character's own thought.

PHILIP C. BROOKS.

THE NATIONAL ARCHIVES.

THE JEFFERSONIAN TRADITION IN AMERICAN DEMOCRACY. By Charles Maurice Wiltse. (Chapel Hill: The University of North Carolina Press, 1935. Pp. xii, 273. $3.00.)

Approximately three fifths of the volume before us is devoted to a presentation of Jefferson's political philosophy. The author

has been diligent in searching for Jefferson's opinions and judicious in classifying them. When paraphrasing and commentating he has written with clarity and terseness. In large measure, however, the very words of Jefferson have been employed, with the result that this statement of Jefferson's political philosophy closely resembles a source book, which is all the more welcome when its brevity is contrasted with the large corpus of Jefferson's writings. Wiltse arranges this part of his work under two main heads, the Jeffersonian State and "The Reign of Law." Subordinate to the former are chapters on "The Pursuit of Happiness," "The Burden of Authority," "The Separation of Powers," and "The Functions of Government." Under the general head, "The Reign of Law," are considered "The Nature of Law" and "The Family of Nations."

The remaining two fifths of the book are divided equally between investigations of Jefferson's intellectual ancestry and of his intellectual offspring. In attacking the former problem Wiltse learnedly demonstrates that Jefferson had read the works of various earlier philosophers, that he was steeped in certain phases of the law, and that he corresponded and conversed with thoughtful men of his own day. This task, of course, has been done before, but the present endeavor is nevertheless acceptable because of new light on several points. Opposition is expressed to some conclusions of the distinguished Jeffersonian scholar, Gilbert Chinard, who placed more emphasis on Jefferson's debt to France than Wiltse considers proper.

The implication of Wiltse's approach is that the impact of these minds shaped the mental pattern of Jefferson, and that according to this pattern his life was styled; when new situations faced Jefferson, his action was usually the logical result of the application of certain fundamental principles. The chief criticism of this approach will come from those who consider Jefferson primarily as a practical politician intent on steering his own boat through the storms of Virginia as well as of national politics. In their opinion, Jefferson's views on government were formed by his own experiences and by the practical problems, one might even say by the temptations, of his own political career. They would further say that Jefferson spoke the language of political philosophy

merely because he happened to know that language as did many of his educated contemporaries. Since there is no general agreement among scholars as to the extent man is controlled by his reason, it is enough to say that Wiltse made a definite choice, and having done so wrought well within the framework of his choice.

The last fifth of the book deals with the democratic tradition since Jefferson's day, that is, the intellectual offspring of Jefferson's theories of statecraft. Of course, the familiar state rights movement is considered in its relationship to Jefferson's respect for the individual and his fear of too much government. More originality is shown in the attempt to discover in Jefferson's philosophy a foundation for the progressive and even socialistic movements of the past half century. Wiltse is successful in marshalling a number of Jeffersonian utterances in support of the view that the functions of government should be greatly expanded if by so doing the happiness of the people can be increased. His discussion of the apparent contradiction between individualism and socialism is enlightening. He goes far toward proving that the advocates of a more socialized government may have been brought to their way of thinking by reading the works of Jefferson. On the other hand, he does not prove that recent liberals have actually read Jefferson, and it is not enough to suggest that they were influenced second- or third-hand by the Jeffersonian tradition. The traditional Jefferson is Jefferson the democrat and Jefferson the opponent of centralized government. Jefferson the potential socialist is outside the tradition, though Wiltse's book may here work an intellectual revolution. It is worthy of note that in the day when William Jennings Bryan was swinging the Democratic party toward the left he was stoutly opposed by John Sharp Williams; and Williams was considered the most orthodox Jeffersonian Democrat of his time.

In failing to show how and to what extent liberals of recent years have been influenced by Jefferson, Wiltse departs from his earlier plan of rigorously tracing the influence of mind upon mind. Conclusions are less well founded in this latter part of the study, although some of the suggestions are most interesting. Also, several phases of the Jeffersonian tradition are not thoroughly worked out. On the other hand, Wiltse makes two distinctly

valuable contributions: his excellent presentation of the political philosophy of Jefferson, to which the major part of the book is devoted, and his discussion of the socialistic potentialities of Jefferson's philosophy.

Charles S. Sydnor.

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Durham, N. C.

The Diplomatic History of Georgia. Publications of the University of Georgia, No. 2. By John Tate Lanning. (Chapel Hill: The University of North Carolina Press. 1936. Pp. x, 275. $4.00.)

The romantic tale of Spanish advance in the southwest and of the planting of Iberian civilization from the parched lands of northern Mexico to the lush Mississippi and the Golden Gate of California has become a familiar one through the indefatigable labors of the Berkeley group of historians headed by Herbert E. Bolton and the infectuous enthusiasm which its members have evoked among their students. A single generation of effort has revealed the magnitude of the conquistadors' and friars' joint accomplishment and has revolutionized concepts respecting Spain's attainments in the field of modern colonization.

The southeast has been singularly neglected by contrast. While the Spanish imprint there is less conspicuous, it is everywhere apparent and the pioneer activities of Jeannette T. Connor,[1] Herbert I. Priestley,[2] James A. Robertson,[3] and Arthur P. Whitaker[4] in editing source materials on the area, of J. G. Johnson[5] in tracing its settlement as an integral part of the whole process of Iberian expansion, and of Isaac J. Cox[6] and Verner W. Crane[7] in surveying its position in international

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[1] *Pedro Menéndez de Avilés . . . Memorial by Gonzalo Solis de Meras* (De Land, 1923) and *Colonial Records of Spanish Florida* (2 vols., De Land, 1925-1930).

[2] *The Luna Papers* (2 vols., De Land, 1928).

[3] "The Archival Distribution of Florida Manuscripts," in *The Florida Historical Society Quarterly*, July, 1931, and *True Relation of the Hardships Suffered by Governor Fernando de Soto . . . Now Newly Set Forth by a Gentleman of Elvas* (2 vols., De Land, 1932-1933).

[4] *Documents Relating to the Commercial Policy of Spain in the Floridas . . .* (De Land, 1931).

[5] "The Founding of Spanish Colonies in Georgia and South Carolina" and "The Spanish Southeast in the Seventeenth Century," in *The Georgia Historical Quarterly*, December, 1931, and March, 1932, respectively.

[6] *The West Florida Controversy, 1798-1813* (Baltimore, 1918).

[7] *The Southern Frontier, 1670-1732* (Durham, 1928).

affairs have demonstrated that the significance of this broad belt of territory in the race for empire is at length gaining recognition.

John Tate Lanning has spent the past decade following the beckoning hand of adventure in this almost virgin region and has made an exhaustive study of widely-scattered source materials on European beginnings in the region above the Florida peninsula. His *Spanish Missions of Georgia,* published in 1935, revealed a flourishing civilization in a remote frontier province no less than a century and a half before the so-called English "settlement" and placed the latter in profoundly altered perspective. This companion volume now traces the course of Anglo-Spanish rivalry during the first half of the eighteenth century and analyzes the forces leading to ultimate British triumph in the Seven Years' War. It is a definitive study based upon archival research in Spain, France, and Great Britain and makes a highly significant contribution to the diplomatic history of colonial America.

The primary factor behind the British government's decision to colonize Georgia was the need for a buffer state to protect Carolina against attack from Spanish Florida. A generation of incessant conflict between Anglo-Saxon merchants and their Latin rivals for control of the Indian trade had engendered such hatreds that the Carolina proprietors made loud calls for protection. As early as 1717, Sir Robert Montgomery, a Scotchman, proposed to erect the Margravate of Azilia in the wilderness to the south as a barrier against the Spaniards. The project lapsed, but four years later, on instructions from London, John Barnwell erected Fort George at the mouth of the Altamaha River, a hundred and twenty-five miles down the coast from Charleston.

This was clearly in contravention of the Anglo-Spanish treaty of 1670, under which both powers adopted the principle of actual possession at that time as a basis for delimiting claims, and evoked bitter objection from both Governor Benavides of Florida and the Spanish court. But the British were determined to hold the territory and met each successive protest with a masterly display of sophistry. Given these circumstances, Oglethorpe's

project of founding a settlement in the disputed region met with ready approval, and a parliamentary grant of £10,000 emphasized the national interest in erecting a bulwark against the Iberians.

This latest challenge to their position thoroughly aroused the Spaniards. They sought to undermine Oglethorpe in London and planned attacks on Savannah from Habana and St. Augustine, but were worsted by the wily promoter who completely outmastered them in dissimulation. His cause was ultimately taken up by the war party composed of ardent patriots intent on precipitating a struggle to build up national prestige by humbling Spain. Oglethorpe ably defended the colony during the four years of warfare which followed and, while the struggle ended indecisively so far as the chief issue of British or Spanish supremacy was concerned, the Georgians were not dislodged. As so often before and since, occupation accompanied by a show of force provided effective title.

Professor Lanning's narrative possesses singular charm. While awkward phraseology at times obscures the course of events, the complicated story with all its intriguing details is, generally speaking, set forth in admirable fashion. Two original maps, an extensive bibliography, and a model index greatly enhance the usefulness of his work to the serious student. It is a distinct compliment to the author that he was invited to publish it under University of Georgia auspices.

Lowell Joseph Ragatz.

The George Washington University,
Washington, D. C.

Colonial Virginia Shrines. By J. Luther Kibler. (Richmond: Garrett & Massie. 1936. Pp. xi, 98. $1.00.)

The two most profitable industries in Virginia today are history and scenery. For much the same reasons, the two places that have felt the depression least are the Holy Land and Williamsburg. It is significant that the revived interest in history harks back to the creative era of the American Revolution. This is a wholesome impulse.

While in Virginia shrines are widely scattered, as in Fredericksburg, Westmoreland County, Lexington, Petersburg, and

Richmond, it is nevertheless true that the cluster of shrines within a brief radius of Williamsburg is of surpassing interest. On one side of the Old Capitol is Jamestown Island, where the first permanent settlement of the English in America was made in 1607. On the other side is Yorktown, where American independence was won. Perhaps no county in America has had born within its borders so many illustrious men as Westmoreland (such as the Washingtons and the Lees). No region of like compass has witnessed so many events of national, if not world, significance as the peninsula between the James and the York.

Mr. Kibler has supplied a guidebook to the Cradle of the Nation. It is full of facts, and withal marked by accuracy. The Rockefeller Restoration in Williamsburg is set forth in detail and with good perspective. Great figures stride across the stage before us: George Wythe, Thomas Jefferson, John Marshall, Governor Alexander Spotswood, and the arch-rebel Nathaniel Bacon.

The soil is rich in sentiment—as is well illustrated by the Matthew Whaley School. The child for whom it is named died in 1705, aged nine years. Mary, the mother, set her heart to "eternalize the name of Mattey." To this end the school was founded in 1706 and was strengthened by the mother's will in 1741; and now after 230 years the school is rebuilt and enlarged at a cost of $400,000. A similar instance is the famous Syms-Eaton School dating from 1636, a little to the east, near Hampton. Every dollar of the original gift is still intact, in spite of the fact that three wars have swept over the peninsula. Is there a single dollar in the state of Virginia that can be traced back to the hand of the original owner, as can the funds of the Syms-Eaton School?

SAMUEL CHILES MITCHELL.

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HISTORICAL NEWS

On June 24 the North Carolina Society, Colonial Dames of America, unveiled a marker at Longstreet Presbyterian Church, Cumberland County, said to have been founded in 1756. The church, now included in the Fort Bragg Military Reservation and no longer used, is maintained by the United States government.

Plans are being made by Dr. J. Edward Smoot of Concord, Detective Frank N. Littlejohn of the Charlotte police force, and other interested persons to disinter the remains of Peter Stuart Ney, North Carolina schoolmaster of a century ago, buried in a Presbyterian churchyard near Statesville, N. C. Local tradition has it that Marshal Ney of France was not actually executed when placed before a firing squad late in 1815, but that he was allowed to escape, came to North Carolina, and as Peter Stuart Ney lived there for several decades. The grave has already been dug up once before in a futile effort to settle the point.

Dr. C. C. Crittenden, secretary of the North Carolina Historical Commission, delivered an address, "Housekeping in Colonial North Carolina," in June to the Home Demonstration Clubs of Hertford County, and in August to the Home Demonstration Clubs of Edgecombe County.

Mr. W. H. Gehrke, of Greensboro, N. C., has had published "Die Landwirtschaft der Deutschen in North Carolina, 1745-1860," *Jahrbuch der Gesellschaft für Geschichte und Literatur der Landwirtschaft,* Vol. XXXV, No. 3 (Göttingen, 1936).

The official letter book of O. Max Gardner, governor of North Carolina, 1929-33, is expected to go to press within a few weeks. It is edited by Mr. D. L. Corbitt of the staff of the North Carolina Historical Commission, but is not one of the Commission's regular publications.

The September number of the *Daughters of the American Revolution Magazine* (Vol. LXX, No. 9) contains several illus-

trated articles on places of historical and scenic interest in North Carolina.

Books received include: Nicholas Pendleton Mitchell, *State Interests in American Treaties* (Richmond: Garrett and Massie. 1936); William W. Brewton, *The Son of Thunder: An Epic of the South* (Richmond: Garrett and Massie. 1936); Clarence E. Carter, editor, *The Territorial Papers of the United States*, Vol. IV, *The Territory South of the River Ohio;* George Rawlings Poage, *Henry Clay and the Whig Party* (Chapel Hill: University of North Carolina Press. 1936); M. Epstein, editor, *The Statesman's Year-Book* (London: Macmillan and Company. 1936); Esther Jerabeck, compiler, *A Bibliography of Minnesota Territorial Documents* (Saint Paul: The Minnesota Historical Society. c. 1936); Addison E. Sheldon, *Land Systems and Land Policies in Nebraska.* Publications of the Nebraska State Historical Society, Vol. XXII (Lincoln, Neb.: Published by the Society. 1936).

The annual Mayflower Cup award, made to the resident North Carolinian who during the twelve months ending August 31 shall have published the original work adjudged the best, will be announced as usual at the session of the State Literary and Historical Association late in the fall. This year the following volumes of history are included: J. C. Russell (University of North Carolina) and J. P. Heironimous (University of Wisconsin), *The Shorter Latin Poems of Master Henry of Avranches Relating to England* (Mediaeval Academy. 1935); M. B. Garrett (University of North Carolina), *Estates General of 1789; the Problems of Composition and Organization* (Appleton-Century. 1935); John Tate Lanning (Duke University), *The Spanish Missions of Georgia* (University of North Carolina Press. 1935); John Tate Lanning *The Diplomatic History of Georgia* (University of North Carolina Press. 1936); C. C. Crittenden (North Carolina Historical Commission), *The Commerce of North Carolina, 1763-1789* (Yale University Press. 1936); B. B. Kendrick and A. M. Arnett (both authors Woman's College of the University of North Carolina), *The South Looks at its Past* (University of North Carolina Press. 1936).

Dr. A. M. Arnett expects to publish during the coming winter a volume to be entitled *Claude Kitchen and the Wilson War Policies,* a subject upon which he has been at work for several years.

The following appointments for the academic year 1936-37 have been made in the Department of History of Duke University. *Fellows:* John Knox Bettersworth, A.B., Millsaps College; Alfred James Henderson, A.B., A.M., University of Rochester; Robert Edwards McNicoll, A.B., University of Miami, A.M., Duke University. *Scholars:* Claude Waldron Bolen, A.B., Emory and Henry College, A.M., Duke University; William Pratt Dale, II, A.B., A.M., Duke University; Walter Brookfield Hendrickson, B.S., Butler University; Hibernia Seay, A.B., Randolph-Macon Woman's College, A.M., Duke University; Mary Elizabeth Thomas, A.B., A.M., University of Arkansas; Edwin L. Williams, Jr., A.B.E., A.M., University of Florida. *Assistants:* Lawrence Fay Brewster, A.B., College of William and Mary, A.M., Columbia University; Louis Morton, B.S., New York University; John Burwell Woodall, A.M., Duke University.

Dr. Fletcher M. Green, formerly of Emory University, has become professor of American history in the University of North Carolina.

Dr. Hugh T. Lefler of the University of North Carolina spent the summer in England carrying on research in the history of the Society for the Propagation of the Gospel in Foreign Parts.

Dr. Robert D. Meade of the University of North Carolina made during the summer a six-weeks trip to England and France, studying the career of Judah P. Benjamin.

Professor Loren C. MacKinney of the University of North Carolina has resumed his teaching duties after a nine-months leave, during which he worked in medieval medical manuscripts in various European centres.

Dr. Eugene E. Pfaff (A.B., A.M., University of North Carolina; Ph.D., Cornell University) has been appointed instructor in history at the Woman's College of the University of North Carolina.

The historical-highway-marker program, authorized by the North Carolina Legislature in 1935, is continuing. Nearly all the necessary research has to be conducted by only one person, the Collector for the Hall of History, and the lack of additional workers for this purpose has slowed up the program. Through September 5 a total of 79 legends had been sent to the foundry. A list of titles, with the county or town in each case, follows:

St. Paul's Episcopal Church, Edenton
Indian Woods, Bertie County
George Durant, Perquimans County
Joseph Hewes, Edenton
James Iredell, Edenton
Thomas J. Jarvis, Currituck County
David Stone, Bertie County
Battle of South Mills, Camden County
Samuel Johnston, Chowan County
Chowan County Courthouse, Edenton
Dismal Swamp Canal, Camden County
First English Colonies, Dare County
Battle of Roanoke Island, Dare County
Stanly Home, New Bern
"Tryon's Palace," New Bern
First Printing Press in N. C., New Bern
Ocracoke Inlet, Atlantic, Carteret County
Abner Nash, New Bern
William Gaston, New Bern
Richard Dobbs Spaight, Craven County
Spanish Attack, Beaufort, Carteret County
Cornelius Harnett, Wilmington
Old Courthouse, Wilmington
Orton, Brunswick County
Stamp Act, Brunswick County
St. James Church, Wilmington
Moore's Creek Bridge, Pender County

Samuel Ashe, New Hanover County
Green Hill Place, Warren County
Nathaniel Macon, Warren County
Independence (Halifax Resolves), Halifax
William R. Davie, Halifax
Annie Carter Lee, Warren County
Charles Brantley Aycock, Wayne County
Richard Caswell, Lenoir County
John Penn, Granville County
Battle of Alamance, Alamance County
Thomas Burke, Orange County
William Hooper, Orange County
Bright Leaf Tobacco, Caswell County
Caswell Courthouse, Caswell County
Battle of Bentonville, Johnston County
Joel Lane House, Wake County
Isaac Hunter Tavern, Wake County
State Capitol, Raleigh
Christ Church Rectory, Raleigh
Andrew Johnson, Raleigh
Dix Hill, Raleigh
Governor's Palace, Raleigh
Wake Forest College, Wake County
Old Bluff Church, Cumberland County
U. S. Arsenal, Fayetteville
John Charles McNeill, Scotland County
James C. Dobbin, Fayetteville
"O. Henry," Greensboro
David Caldwell, Guilford County
Guilford Courthouse, Greensboro
John Motley Morehead, Greensboro
Calvin H. Wiley, Guilford County
Dolly Madison, Guilford County
"Land of Eden," Rockingham County
James K. Polk, Mecklenburg County
Brothers House, Winston-Salem
Confederate Prison, Salisbury
Confederate Cabinet, Charlotte

Jefferson Davis, Concord
Branch U. S. Mint, Charlotte
Queens Museum, Charlotte
Reed Gold Mine, Cabarrus County
Nathaniel Alexander, Cabarrus County
Fort Dobbs, Iredell County
Montfort Stokes, Wilkes County
Kings Mountain Battleground, Cleveland County
Sidney Lanier, Polk County
Battle of Ramseur's Mill, Lincoln County
Schenck Mill, Lincoln County
Calvary Church Episcopal, Henderson County
Zebulon B. Vance, Buncombe County
Riverside Cemetery, Asheville

Both the Federal Archives Survey and the Historical Records Survey continue to require a longer period of time than had been anticipated. The former will probably be completed within a few weeks, but the latter to be finished will have to go on for several more months. The Historical Commission plans to publish the inventories of the Historical Records Survey in a series entitled *The Archives and Manuscript Collections of North Carolina,* in two volumes: (1) *The County Records,* and (2) *The State Records, Public Manuscript Collections, and Church Records.* Both volumes are to be edited by C. C. Crittenden and Dan Lacy.

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